

Proclamations
and
Orders in Council

Relating to the War

VOLUME 7

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
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NOTE REGARDING CONTENTS OF VOLUME 7

This volume includes Orders in Council relating to the war, passed between April 1st, 1942, and June 30th, 1942, which are regarded as of general or widespread interest and concern.

In order to increase the usefulness of this series, beginning with Volume 6 all volumes will be published quarterly instead of twice a year as in the case of the first five volumes.

Orders in Council relating to foreign exchange control are not included in any of these volumes, except volume 1, as they are published separately by the Foreign Exchange Control Board.

From time to time, consolidations of the Defence of Canada Regulations are also printed in separate volumes.

There has been included in this volume a list of amendments to various Orders in Council (page 204) covering the period April 1st, 1942, to June 30th, 1942, and a reference index page (page 207) covering the contents of the six volumes published to date.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

OTTAWA,
July 22, 1942.

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Order in Council exempting Office Appliance Operators from provisions of P.C. 6/1248, Feb. 19, 1941, Dependents' or Marriage allowance

P.C. 6/2570

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 2nd April, 1942.

The Board recommend that the classes Office Appliance Operator, Grade 1, Grade 1A and Grade 2 be added to the list of classes exempted by Order in Council of December 17, 1941, P.C. 95/9823, from the provisions of the following Orders in Council:

- (a) P.C. 6/1248 of February 19, 1941, which provides for discontinuance of Dependents' or Marriage Allowance if the recipient is assigned to the Public Service.
- (b) P.C. 21/7609 of December 24, 1940, which provides that superannuation allowances and pensions granted to widows under the provisions of the Civil Service Superannuation Acts, the Royal Canadian Mounted Police Act, and the Militia Pension Act, who are assigned to positions in the Public Service, be discontinued and stand as deferred benefits for the period of their employment.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council allowing exemptions under Income Tax re dependents of citizens of allied countries

P.C. 69/2570

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 2nd April, 1942.

The Board recommend that Order in Council of March 10, 1942, P.C. 79/1840, be amended, by addition of the following words:

"or, in cases of dependents of citizens of allied countries is prevented from such entry due to the exigencies of the War."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations governing drawback on goods imported into Canada and exported therefrom

P.C. 75/2570

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 2nd April, 1942.

The Board recommend that under the War Measures Act the following regulations governing drawback on goods imported into Canada and exported therefrom be made and established for the duration of the war, effective April 1, 1942, and superseding as of that date regulations made by Order in Council (P.C. 56/5204) dated the 16th July, 1941:—

REGULATIONS GOVERNING DRAWBACK ON GOODS IMPORTED INTO CANADA AND EXPORTED THEREFROM

When imported goods on which duties and/or taxes have been paid are exported from Canada, there may, subject to the following conditions and for the duration of the war, be allowed a drawback of 99 per cent of the duties and/or taxes paid thereon;

- (1) The drawback shall be paid to the exporter of the goods;
- (2) Whole packages of goods as imported may be broken and part only thereof exported, but no use shall have been made in Canada of the goods exported;
- (3) The quantity and identification of such goods imported and exported and the amount of duties and/or taxes paid thereon shall be ascertained;
- (4) Claims for drawback, submitted on and after the 1st day of April, 1942, shall not cover goods exported for a period of more than twelve consecutive months and must be filed with the Collector and complete evidence attached thereto within a period of six months from the date of the last export entry covered by the claim. Such drawback claims shall not be paid unless the duties and/or taxes have been paid on the goods within three years of the date of exportation thereof, nor unless the entered value for duty of the goods exported, on which claim is made, is in the aggregate more than fifty dollars;
- (5) Claims for drawback shall be made under oath before a Collector, Justice of the Peace or Commissioner for taking Oaths, in such form as the Minister shall prescribe and shall, before payment, be verified to the satisfaction of the Minister, who may require, in any case, the production of such further evidence, in addition to the usual averments, as he deems necessary to establish the bona fides of the claim;
- (6) Upon the exportation of the goods entitled to drawback, export entries, in triplicate, in the usual form (with the words "Subject to Drawback" marked on the face), shall be filed with the Collector at the port of exit from Canada, naming the conveyance by which and the country or place to which the goods are to be exported and fully describing the kind and quantity thereof and also the marks and numbers on the packages;
- (7) The following documents shall be delivered with the claim for drawback:—
 - (a) A copy of the import entry showing payment of duties and/or taxes on the goods imported and exported, on which draw-

back is claimed. If a copy of the import entry, however, has been furnished with a previous claim for drawback, it will be sufficient to "refer" to such copy and indicate the claim to which it was attached, without furnishing a further copy of the entry;

- (b) A certified true copy of the export invoice;
 - (c) A copy of the export entry, duly numbered and certified by the Collector at the port of exit where the goods were entered for exportation from Canada;
 - (d) A certificate of importation, sale or transfer, in form prescribed by the Minister, when the claimant entitled to drawback is not the importer of the goods;
- (8) Drawback is not payable in respect of Customs penalties imposed on imported goods.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulations—
radio apparatus**

Canada Gazette (Extra), April 10, 1942

P.C. 2574

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 1st day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by regulations 11 and 13 of the Defence of Canada Regulations (Consolidation) 1941, the Minister of Transport is vested with certain powers relating to any radio apparatus in Canada or on any ship or aircraft registered in Canada;

And whereas by Order in Council P.C. 3076 of July 8th, 1940, and by Order in Council P.C. 3435 of July 25th, 1940, the powers and functions vested in the Minister of Transport under The Radio Act, 1938, and under the Department of Transport Act, 1937, with respect to radio services, were transferred to the Minister of Munitions and Supply;

And whereas it is deemed expedient to transfer to the Minister of Munitions and Supply the powers relating to radio now vested in the Minister of Transport by regulations 11 and 13 of the Defence of Canada Regulations (Consolidation) 1941;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Transport and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by substituting the words "Minister of Munitions and Supply" for the words "Minister of Transport" wherever they occur in regulation 11 and in paragraph (5) (b) of regulation 13.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing payment of benefits and grants to persons discharged from the Armed Forces—amending P.C. 7633

P.C. 2602

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 1st day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 7633, of the 1st day of October, 1941, provision was made for the payment of benefits and grants to persons discharged after July 1st, 1941, from the Naval, Military and Air Forces of Canada, to aid in their re-establishment in civil life, and provision was also made for counting the services of such discharged persons for the purposes of the Unemployment Insurance Act;

And whereas the Minister of Pensions and National Health reports that it is now deemed desirable that there should also be brought within the provisions of the said Order persons discharged from the following Forces or Corps, namely,

- (1) the Canadian Women's Army Corps,
- (2) the Royal Canadian Air Force (Women's Division), and
- (3) the Naval, Military or Air Forces of His Majesty other than His Majesty's Canadian Forces, providing with respect to this class that such persons were domiciled in Canada at the time of their enlistment therein in the present war.

That it is deemed desirable further that the said Order in Council be amended in other particulars as hereinafter set forth.

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the said Order in Council P.C. 7633, dated October 1st, 1941, and it is hereby amended as follows:

1. By inserting in paragraph 2 of the said Order before the definition of "discharge" the following definition:

"active service" includes service of a "Member (H.D.) of the Canadian Army" and any service of an "R. Recruit" during which he is considered to be on active service by virtue of "Reserve Army (Special) Regulations, 1941."

2. By rescinding the definitions of "discharge", "discharged person", "enlistment", and "service" in paragraph 2 of the said Order and substituting the following definitions therefor:

"Discharge" means the discharge or retirement from or the ceasing to serve on active service of a "discharged person" as hereinafter defined;

"Discharged person" means any person who, subsequent to July 1st, 1941, has been discharged or retired from, or has ceased to serve on active service in any of the following Forces or Corps;

- (i) The Naval, Military or Air Forces of Canada, provided, in respect of this class, that such person was in receipt of either active service rates of pay or of Permanent Force rates of pay while serving in the said Forces during the present war, or,
- (ii) the Canadian Women's Army Corps, established by Order in Council, P.C. 6289, dated the 13th day of August, 1941, or
- (iii) the Royal Canadian Air Force (Women's Division), established by Order in Council P.C. 790, dated the 3rd day of February, 1942, or,
- (iv) the Military, Naval or Air Forces of His Majesty other than His Majesty's Canadian Forces, provided, in respect to this class, that such person was domiciled in Canada at the time of his enlistment therein in the present war.

"Enlistment" means enlistment or enrolment in, or appointment to a commission in, any of the Forces or Corps aforesaid:

"Service" means service in any of the Forces or Corps aforesaid during the present war.

3. By adding the following provisos to sub-paragraph (1) of paragraph 5 of the said Order:

Provided that

- (i) In the case of a person discharged from the Canadian Women's Army Corps or from the Royal Canadian Air Force (Women's Division) the rate of out-of-work benefit aforesaid shall not exceed the rate of pay of the discharged person at the date of discharge; and
- (ii) No benefit under this paragraph shall be paid to a married woman whilst her husband is, in the opinion of the Minister, capable of maintaining her either wholly or mainly and under legal obligation so to do.
- (iii) There shall be deducted from any benefit payable to a woman periodically an amount equal to any amount which she is entitled to receive for the same period as pension (other than pension for a disability of her own) under the provisions of the Pension Act or any Order in Council which provides for pension administered under the Pension Act.

4. By adding to paragraph 10 of the said Order the following sub-paragraph:

- (4) In determining the period of eighteen months mentioned in sub-paragraph (2) of this paragraph, the Minister may regard such a period as being exclusive of any periods during which a discharged person is a patient in any hospital or institution.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending certain sections of P.C. 1800, P.C. 1801 and P.C. 1803—losses of moneys shall be paid from and charged to War appropriation

P.C. 2651

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 8th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Orders in Council, P.C. 1800, P.C. 1801 and P.C. 1803, of March 9, 1942, passed under and by virtue of the powers vested in the Governor in Council by the War Measures Act and otherwise, purport to appropriate moneys from the Consolidated Revenue Fund;

And whereas the Minister of Trade and Commerce reports that, according to a recent ruling made by the Department of Justice, the War Measures Act does not vest in the Governor in Council any power to appropriate moneys from the Consolidated Revenue Fund;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, is pleased to amend the aforesaid Orders in Council and they are hereby amended by deleting section 6, sub-section (b) of P.C. 1800; section 4, sub-section (c) of P.C. 1801; and section 3, sub-section (c) of P.C. 1803, and substituting the following therefor:

"Any losses to the Board on these operations shall be paid from and charged to moneys appropriated under the War Appropriation Act, 1942, or subsequent War Appropriation Acts, and any profits shall accrue to the Consolidated Revenue Fund."

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council approving rate of pension payable to or in respect of a member of the Corps of (Civilian) Canadian Fire Fighters serving in U.K.

P.C. 100/2757

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 11th April, 1942.

The Board had under consideration the following memorandum from the Honourable the Minister of Pensions and National Health and the Honourable the Minister of National War Services:

"The undersigned, with the concurrence of the Minister of National War Services, has the honour to report, that under Order in Council P.C. 76/1656, dated the 3rd of March, 1942, provision was made for the establishment of a Corps of (Civilian) Canadian Fire Fighters for service in the United Kingdom.

It is deemed desirable that pensions should be provided for the members of the said corps who suffer injury or disease or aggravation thereof resulting in disability or death while serving with the aforesaid corps.

The undersigned has therefore, with the concurrence aforesaid, the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, R.S.C., 1927, and notwithstanding anything to the contrary contained in the Pension Act or in any other Act or regulation, be pleased to authorize the payment of pensions to duly certified members of the Corps of (Civilian) Canadian Fire Fighters for service in the United Kingdom who suffer injury or disease or aggravation thereof resulting in disability or death while serving with the aforesaid corps.

The rate of pension payable to or in respect of a member of the Corps of (Civilian) Canadian Fire Fighters for service in the United Kingdom shall be the rate set forth in Schedule A or B, as the case may be, of the Pension Act, applicable to the rank or qualification of such person in the following table:—

<i>Rank</i>	<i>Scale of Pension</i>	
Commanding Officer	Lt.-Colonel	(Army)
Divisional Officer	Major	(Army)
Column Officer	Captain	(Army)
Senior Company Officer	Lieutenant	(Army)
Company Officer		
Section Leader, Leading		
Fireman, Senior Fireman, Fireman and Junior Fireman		

All claims for pension under these regulations shall be dealt with and adjudicated upon by the Canadian Pension Commission in like manner and to all intents and purposes as though such claims were claims under the Pension Act and the member of the Corps of (Civilian) Canadian Fire Fighters for service in the United Kingdom by whom the application for pension is made were, at the time the injury or disease or aggravation thereof resulting in disability or death, was sustained, a member of the forces as defined by such Act and all provisions of the Pension Act which are not inconsistent with these regulations shall apply to every such claim.

For the purposes of this order, the Canadian Pension Commission may require the Department of National War Services to maintain such records as the Commission may deem essential to the proper adjudication of claims which may be preferred under these regulations and shall be empowered to inspect or require the production of any such records or other material considered relevant to such claims.

All payments required to be made under these regulations shall be made from the War Appropriation Vote of Parliament."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations *re* arrest of deserters
and absentees—revoking P.C. 325, January 16, 1942

P.C. 2797

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 10th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Section 163 of the Army Act and of the Air Force Act provide that where proceedings are taken against an officer, soldier or airman on a charge of being a deserter or absentee without leave, the fact, date and place of the surrender to or of the apprehension by the Civil Authorities, or of the surrender to the appropriate Service Authorities of such officer, soldier or airman may be proved by appropriate documentary evidence;

And whereas Order in Council P.C. 325 dated 16th January, 1942, provides for proof, by appropriate documentary evidence, of the fact, date and place of the apprehension of such officer, soldier or airman by the appropriate Service Authorities;

And whereas the Minister of National Defence reports that experience has shown that the provisions of the aforesaid Section 163 of the Army Act and Air Force Act and Order in Council P.C. 325, do not cover adequately the situation where a deserter or absentee is arrested by personnel of the Canadian Provost Corps particularly where such arrest is made by an isolated detachment of such corps;

That the lack of the necessary covering provisions often necessitates the attendance of witnesses for the purpose of giving oral evidence as to the fact, date and place of the surrender to or apprehension by an officer, warrant officer or non-commissioned officer in charge of a Canadian Provost Corps detachment which attendance in many cases involves considerable expense to the public as well as interfering with the performance of important duties by such witnesses; and

That in order to further facilitate proof of the foregoing facts by documentary evidence to cover the circumstances as set out above, and in order to combine in one set of regulations the provisions of the above-mentioned Section 163 of the Army Act and Air Force Act and Order in Council P.C. 325, it is considered desirable that the said Order in Council P.C. 325 be cancelled and a new order made embodying the desired provisions;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence (concurred in by the Minister of National Defence for Air), and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order as follows:

1. The Regulation made by Order in Council P.C. 325, dated the 16th January, 1942, is hereby revoked.

2. The following regulation is hereby made and established to be effective as and from the 16th day of January, 1942:

REGULATION

- (1) Where an officer or soldier of the Canadian Army, or an officer or airman of the Royal Canadian Air Force, serving on Active Service, is proceeded against on a charge of being a deserter or

absentee without leave, and the officer, soldier or airman has been apprehended or has surrendered either while wearing the uniform of any of His Majesty's Forces, or while dressed in civilian clothes, and has on arrest or surrender been taken into the custody of a provost-marshal, assistant provost-marshal, or other officer, or of personnel of any portion of His Majesty's Forces, a certificate purporting to have been signed by such provost-marshal, assistant provost-marshal, or other officer, or by the Commanding Officer of the portion of His Majesty's Forces into whose custody the officer, soldier or airman was so taken, or in the event that such officer or soldier on arrest or surrender has been taken into the custody of a detachment of the Canadian Provost Corps, C.A., by the officer, warrant officer or non-commissioned officer in charge of such detachment, stating the fact, date and place of arrest or surrender, and that the officer, soldier or airman was either wearing the uniform of any of His Majesty's Forces or was dressed in civilian clothes, as aforesaid, shall be evidence of the matters so stated.

- (2) Where an officer or soldier of the Canadian Army, or an officer or airman of the Royal Canadian Air Force, serving on Active Service, has been apprehended by or has surrendered to a peace officer or constable, then for the purpose of any proceedings against such officer, soldier or airman, a certificate purporting to be signed by such peace officer or constable, or by the police officer in charge of any police station in any place in any part of His Majesty's dominions at which such officer, soldier or airman has been taken into custody upon such arrest or surrender, stating the fact, date and place of arrest or surrender, and that the officer, soldier or airman was either wearing the uniform of any of His Majesty's Forces, or was dressed in civilian clothes, as the case may be, shall be evidence of the matters so stated.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council subsidizing certain types of fishing vessels

P.C. 2798

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 10th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Fisheries reports that the continued requisitioning of fishing vessels by the armed services on the Pacific Coast has reduced the productive capacity of the industry to the point where the fulfilment of its war supply function is endangered;

That private building of vessels to replace those requisitioned has been deterred by present increased cost of construction, difficulties in securing materials, and machinery, and the fear that capital thus invested will in turn be removed from the industry by requisition;

That in the opinion of the Advisory Committee on Economic Policy, it is advisable, in order to stimulate private building of fishing vessels, to absorb some of the increased costs by arranging for a subsidy to certain types of vessels; to assist builders in securing adequate order of priority for materials; to arrange in the case of requisitioned fishing vessels for a return of the capital involved to the industry so that it may be used once again in the building of vessels and to give consideration to the allowance of special depreciation rates for the purposes of taxation on the value of new fishing vessels;

That though some seventy fishing vessels have been transferred from the Pacific Coast fisheries by requisition to the use of the armed services, the most acute shortage occurs at the moment in the packer-seiner type of from 72 to 78 feet in length which may vary between approximately 90 and 110 gross tons and whose cost varies between \$48,000 and \$53,000; and

That in view of the anticipated adverse effect of this shortage on the production of fish on the Pacific Coast of Canada during the approaching season, it is deemed advisable to extend assistance immediately to the construction of this type of vessel;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries (concurred in by the Minister of Finance and the Minister of Transport) and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:—

- (1) Assistance shall be granted in the form of a subsidy of \$165 per gross ton to vessels of the packer-seiner type, meaning between 72 and 78 feet overall length and varying between 90 and 110 gross tons displacement, the plans of which have been approved of by the Steamship Inspection Board of the Department of Transport and have been approved and certified by it to come within that class or type.
- (2) Claims for such subsidy on vessels of the approved type shall be limited to those upon which construction has commenced on or after March 15th, 1942, and shall be submitted to the Minister of Fisheries on forms supplied by him which may be approved under such conditions as he may determine.
- (3) In satisfaction of such claims as have been approved as aforesaid, the Minister of Fisheries may authorize progress payments to be made during the construction of such vessels in proportion to the extent of the completion of such construction as has taken place in the opinion of the Steamship Inspection Board of the Department of Transport and which it thereto has certified.
- (4) Seventy-five per cent of the gross tonnage as estimated from the approved plans of the vessel under construction, shall be used as a basis for the calculation of progress payments; and when the vessel has been registered the gross tonnage appearing on the register of shipping shall be taken as the final basis for subsidy payment.
- (5) In computing the amount of profits of the owner of a vessel who has received a subsidy in respect thereof under this Order in Council for the purpose of the Income War Tax Act and The Excess Profits Tax Act, 1940, to determine the liability of the owner of the said vessel to pay tax under the said Statutes a special allowance for depreciation shall be granted at the rate of 20 per centum per annum, such special allowance to be in lieu of depreciation ordinarily granted under the said Statutes.

- (6) For the purpose of calculating the amount of the annual allowance for depreciation the value shall be the actual cost of the vessel to the owner less the amount of the subsidy granted to him in respect thereof.
- (7) No vessel in respect of which a subsidy has been granted may be sold by the owner within five years from the date of the purchase of such vessel from the builder thereof, except by the permission of, and under conditions approved by, the Governor in Council on the recommendation of the Minister of Fisheries.
- (8) If any vessel in respect of which a special allowance for depreciation has been provided for herein is sold by the original purchaser thereof at any time within five years after the expiry of the five-year period mentioned in clause 7 then the special depreciation herein allowed shall be adjusted downward in the last year when the special depreciation allowance was granted or the next preceding year or years to the extent of the proceeds of such sale; provided however that the taxpayer shall not be deprived of the depreciation which, but for this Order in Council, would ordinarily be allowed in respect of the said vessel; and provided further that if in any year in the period over which the special depreciation is allowed the profits of the owner of the vessel are insufficient to absorb the depreciation allowed the owner shall not be compelled to take more depreciation than but for this Order in Council he would be compelled to take.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing regulations respecting production of
Soya beans**

P.C. 2799

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 10th day of April, 1942.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

Whereas the Acting Minister of Trade and Commerce reports that by reason of war conditions it is considered necessary to provide means whereby soya bean production in Canada will be so encouraged that the oil and meal cake derived therefrom will be of assistance in meeting the increased demand for vegetable oils and feed supplies for the increased livestock population; and

That it is necessary for the attainment of such objectives that the producers of soya beans in Canada be assured of a stable and fair price for their product;

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to make and doth hereby make the following regulations and order that such regulations shall be operative notwithstanding anything in any law or statute to the contrary:

REGULATIONS

1. *Interpretation*

- (a) Words and expressions used in these Regulations shall be given the same meaning as is accorded to such words and expressions when used in the Canadian Wheat Board Act.
- (b) "Soya Beans" mean soya beans grown in Canada.

2. The Canadian Wheat Board is empowered to buy soya beans at \$1.95 per bushel No. 2 Yellow soya beans, basis Toronto.

- 3. (a) The Canadian Wheat Board is empowered to enter into ordinary commercial banking arrangements on its own credit, and to borrow money on the security of soya beans delivered to the Board and the Governor in Council may authorize the Minister of Finance to guarantee advances made to the Board or to make loans or advances to the Board on such terms and conditions as may be agreed upon.
- (b) The Board may pay out such moneys for the purchase of such soya beans as aforesaid and also for expenses of the Board in connection with administration of these Regulations.
- (c) Any losses to the Board on these operations shall be paid from and charged to moneys appropriated under the War Appropriation Act, 1942, or subsequent War Appropriation Acts, and any profits shall accrue to the Consolidated Revenue Fund.

4. The Board shall have all powers necessary or incidental to the handling and marketing of soya beans purchased as provided above, and without limitation upon such powers, the following:

- (a) To buy and take delivery of soya beans;
- (b) To sell or otherwise dispose of soya beans;
- (c) To control imports and exports of soya beans into and from Canada;
- (d) To store and transport soya beans;
- (e) To employ such officers, clerks and employees as may be necessary for carrying out these Regulations.

5. It shall be the duty of the Board:—

- (a) To report in writing to the Minister on Friday of every second week, showing, as at the close of business on the preceding Saturday, its purchases and sales of soya beans during the two weeks ending on such Saturday and the quantities of soya beans then on hand, the contracts to take delivery of soya beans then held, the cost of same to the Board and the financial results of the Board's operations, which report shall be certified by the Auditors of the Board;
- (b) To make such other reports and furnish such further information as the Minister may from time to time require;
- (c) To appoint a responsible firm of Chartered Accountants for the purpose of auditing accounts and records and certifying such reports of the Board as the Governor in Council may require;
- (d) To give effect to any Order in Council that may be passed with respect to these operations.

6. The Board may, with the approval of the Governor in Council, make such regulations as may be necessary or advisable for the efficient operation and enforcement of these Regulations, and for carrying out the provisions thereof according to their true intent and meaning.

7. These Regulations shall come into operation on August 1, 1942, and shall expire on August 1, 1943, subject to provisions of section nineteen of the Interpretation Act which is hereby made applicable hereto as if the said regulations were revoked on said latter date.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing regulations respecting speed of
motor vehicles**

Canada Gazette (Extra), April 13, 1942

P.C. 2800

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 10th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under and by virtue of the Department of Munitions and Supply Act, the Minister of Munitions and Supply has, among other duties, the duty of conserving the resources of Canada contributing to and the sources of supply of munitions of war and supplies;

And whereas the Acting Minister of Munitions and Supply reports that the supplies of gasoline and rubber have been seriously curtailed as a result of enemy action;

That it has become necessary to impose stringent limits upon the consumption of gasoline and rubber for all purposes, and

That such gasoline and rubber will be conserved if motor vehicles are driven at a rate of speed not exceeding forty miles per hour;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply and under the authority of and pursuant to the powers conferred by the Department of Munitions and Supply Act and by the War Measures Act, is pleased to make the following regulations and they are hereby made and established accordingly:

REGULATIONS RESPECTING THE SPEED OF MOTOR VEHICLES

1. Unless the context otherwise requires,
 - (a) "highway" shall include a common public highway, road, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - (b) "justice" means a justice of the peace and includes two or more justices if two or more justices act or have jurisdiction and also a police magistrate, a stipendiary magistrate and any person having the power or authority of two or more justices of the peace;

(c) "motor vehicle" shall mean any vehicle, the motor power for which is furnished by any type of internal combustion engine.

2. These Regulations shall, save as herein provided, apply to the officers and servants of His Majesty in right of Canada as well as of any province to which these Regulations extend.

3. No person shall drive a motor vehicle on a highway at a rate of speed greater than forty miles per hour save and except that a member of the armed forces of His Majesty, or of any power allied or associated with His Majesty in the conduct of the present war, or a member of a fire brigade, or of a police force or of an air raid protection unit or a driver of an ambulance shall not be convicted of an offence if he establishes that his duty required him to drive at a speed in excess of forty miles per hour.

4. (1) Any person who violates any provision of these Regulations shall be guilty of an offence and liable on summary conviction for the first offence to a fine of not less than fifteen dollars and not more than fifty dollars or to imprisonment for not more than ten days or to both such fine and such imprisonment, and for a second offence to a fine of not less than twenty-five dollars and not more than one hundred dollars or to imprisonment for not more than fifteen days or to both such fine and such imprisonment, and for any subsequent offence to a fine of not less than fifty dollars and not more than two hundred dollars or to imprisonment for not more than thirty days or to both such fine and such imprisonment.

(2) Where any person is convicted of an offence under the provisions of subsection one of this Regulation, the justice may, in addition to any other punishment provided for such an offence, make an order prohibiting such person from driving a motor vehicle anywhere in Canada during any period not exceeding six months. In the event of such an order being made, the justice shall forward a copy thereof to the Registrar of Motor Vehicles for the province wherein a permit or licence to drive a motor vehicle was issued to such person. Such copy shall be certified under the hand of such justice.

5. These Regulations shall come into force on the first day of May, 1942: Provided, however, that the provisions thereof shall not apply in any province in which it is an offence under the laws of such province for a person to drive a motor vehicle on a highway at a rate of speed greater than forty miles per hour.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing deductions from compensation of temporary employees, Public Service, for Unemployment Insurance

P.C. 1/2851

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 10th April, 1942.

The Board had under consideration a memorandum from the Honourable the Minister of Finance reporting:

“(1) That Paragraph 5 of Order in Council of April 19, 1940, P.C. 1/1569, reads:—

‘Beginning with May 1, 1940, a deduction equal to 5 per cent shall be made from the compensation of all persons appointed to temporary positions, other than casual positions, in the public service of Canada after September 1, 1939. All such deductions shall be deposited in the Retirement Fund and dealt with in accordance with the provisions of the Civil Service Superannuation and Retirement Act respecting deductions from compensation of Civil Servants.’

(2) That the object of this provision was to reduce the hardship due to retirement of large numbers of War employees at the end of the war by providing means of transportation to their homes and support until they could obtain other employment.

(3) That the provisions of Paragraph (1) above have proven satisfactory to the Government as an employer and to the affected employees themselves.

(4) That representations have been made that the terms of this paragraph should be modified in certain instances and applied to all employees who are not contributors to the Civil Service Superannuation Fund, regardless of the date of appointment, except those occupying casual positions.

(5) That it is desirable that the five per cent contribution to the Retirement Fund be reduced to four per cent in respect of all persons employed in the public service of Canada who are contributors to the Unemployment Insurance Fund.

The undersigned, under the provisions of the War Measures Act, accordingly recommends:

- (a) That, effective July 1, 1942, Paragraph 5 of Order in Council P.C. 1/1569 of April 19, 1940, as amended, be repealed and the following substituted therefor as paragraph 5:

‘5. On and after July 1, 1942, a deduction shall be made from the compensation of all employees of the Public Service of Canada except casual employees and employees who are or may become contributors to the Civil Service Superannuation Fund, on the following basis:

- (i) A deduction equal to five per cent in the case of persons not insured under the provisions of the Unemployment Insurance Act;
- (ii) A deduction equal to four per cent in the case of persons insured under the provisions of the Unemployment Insurance Act, provided that, with respect to present contributors to the Retirement Fund who may be determined

as eligible for unemployment insurance prior to July 1, 1942, the deduction of four per cent shall be effective from the first of the month following such determination;

- (iii) All such deductions shall be deposited in the Retirement Fund and dealt with in accordance with the provisions of the Civil Service Superannuation and Retirement Act respecting deductions from compensation of Civil Servants;
 - (iv) If an employee who is subject to the provisions of this Order in Council becomes a contributor under the provisions of the Civil Service Superannuation Act, and does not elect to contribute for his service prior to the date of his becoming a contributor under that Act, he may be granted a return of his contributions made to the Retirement Fund.'
- (b) That the arrangement already made affecting employees of the Dominion Government Arsenal whereby such employees who are eligible are contributing under the Unemployment Insurance Act and also four per cent of their compensation to the Retirement Fund, be approved effective September 1, 1941."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council granting temporary certificates as masters under provisions of the Canada Shipping Act

P.C. 2892

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 14th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Transport reports that, due to the large number of seamen engaged in war operations, it is difficult to procure seamen who are duly qualified as Masters, under the provisions of the Canada Shipping Act, 1934, to operate the large number of vessels of small tonnage which are required in order to maintain an efficient and adequate communication service in certain harbours of Canada; and

That it is deemed advisable, in the circumstances, that the Minister of Transport be authorized to grant temporary certificates as Masters, in order that such communication service be placed under the control of the Department of Transport so as to assure efficiency and adequacy.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Transport and under the authority of the War Measures Act, Chapter 206, R.S.C., 1927, is pleased to make and doth hereby make and establish the following regulation:—

REGULATION

"Notwithstanding anything contained in the Canada Shipping Act, 1934, the Minister of Transport during the present war, upon the report of an Examiner of Masters and Mates or a certificated Master Mariner approved by the said Minister, and upon the payment of a fee of Five Dollars, may grant a temporary certificate as Master to an applicant approved by the Naval Authorities or the R.C.M. Police, sufficiently qualified by his knowledge and experience, to take charge of any motor boat not exceeding forty tons gross tonnage and certificated to carry not more than thirty-five passengers, engaged in communication service in such harbour or waters adjacent thereto as may be approved by the Naval Authorities.

The certificate shall designate such harbour and the waters adjacent thereto and it may be issued for any term not exceeding one year, but may be suspended or cancelled for cause by the Minister."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving formation of "University Air Training Corps"

P.C. 2983

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 13th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2677 dated the 14th September, 1939, the Permanent Active Force, the Auxiliary Active Air Force, and the Special Reserve Royal Canadian Air Force, and all Officers and Airmen thereof, were thereby placed on Active Service in Canada also beyond Canada for the defence thereof as of and from the 13th day of September, 1939;

And whereas the Minister of National Defence for Air recommends that a further component of the Royal Canadian Air Force entitled the "UNIVERSITY AIR TRAINING CORPS", be formed in which it is proposed to enlist, instruct and train university students during the period of their university courses, who while on the strength thereof shall not be on Active Service.

Now, therefore, His Excellency the Governor General in Council, under and by virtue of the provisions of the Royal Canadian Air Force Act, being Chapter 15 of the Statutes of Canada, 1940, is pleased to order and doth hereby order:

1. That there be formed forthwith a component of the Royal Canadian Air Force entitled the "UNIVERSITY AIR TRAINING CORPS", to be comprised of such Officers and Airmen as may be appointed thereto or enlisted therein under such conditions as to service training and pay, not inconsistent with this order and/or with the provisions of the King's Regulations and Orders for the R.C.A.F. as may be prescribed by the Minister of National Defence for Air.

2. That the said University Air Training Corps shall be comprised of such units, detachments and formations as may be from time to time named by the Minister of National Defence for Air.

3. That the said University Air Training Corps shall not be deemed to be on Active Service, but Officers and Airmen thereof may be placed on Active Service by being transferred to the Special Reserve, Royal Canadian Air Force, under such conditions as may be prescribed by the Minister of National Defence for Air.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting certain dried milk products from customs duties and war exchange tax

Canada Gazette, April 25, 1942

P.C. 3011

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 14th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports, that imports of dried whey, dried skim milk and dried buttermilk are subject to rates of customs duty of $2\frac{1}{2}$ cents per pound under the British Preferential Tariff and 5 cents per pound under the Intermediate and General Tariffs, with an Australian and New Zealand Trade Agreement rate of one cent per pound;

That the Wartime Prices and Trade Board represents that there is a shortage in Canada of dried milk products for use in the preparation of specialized feeds; and

That the National interests would be best served in the present emergency by exempting imports of the aforementioned dried milk products from duties of customs and war exchange tax for a temporary period.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that dried whey, dried skim milk and dried buttermilk be exempted from war exchange tax and be accorded the tariff treatment hereunder indicated for the period April 1, 1942, to July 31, 1942:

Dried whey, dried skim milk and dried buttermilk, when imported for use as animal or poultry feeds or when imported for use in the manufacture of animal or poultry feeds—

British		
Preferential	Intermediate	General
Tariff	Tariff	Tariff
Free	Free	Free

(to be designated as Tariff Item 43b.)

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Defence of Canada Regulations—persons
taking part in a strike

Canada Gazette (Extra) April 21, 1942

P.C. 3016

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 14th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR IN COUNCIL:

Whereas it is considered desirable to amend regulation 21 of the Defence of Canada Regulations (Consolidated) 1941, in order to insure that no person will be detained thereunder by reason only of his taking part in, or persuading any other person to take part in, a strike

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of The War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend regulation 21 of the Defence of Canada Regulations (Consolidation) 1941, and it is hereby amended by adding immediately after paragraph (3) thereof as paragraph (4) the following:

“(4) No order shall be made under this regulation by reason only of a person taking part in, or peacefully persuading any other person to take part in, a strike.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing regulations *re* pecuniary loss caused by
R.C.A.F. aircraft in flight, etc., subsequent to September 1, 1939

Canada Gazette, June 6, 1942

P.C.46/3017

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
15th April, 1942.*

The Board recommend that Order in Council, P.C. 67/2980 dated April 30, 1941, be revoked and that the following regulations be made:—

1. When a complaint is received by the Department of National Defence for Air from any person or government, that pecuniary loss has been caused to such person or government, subject to September 1, 1939, by a Royal Canadian Air Force aircraft in flight, taking off or landing, or by an article or person falling from any such aircraft, that department shall, without prejudice and without admitting liability, request the complainant to furnish a detailed statement of the facts upon which such complaint is based and a detailed statement showing how such pecuniary loss is computed together with copies of vouchers verifying all disbursements.

2. An Officer of the Department of National Defence for Air shall investigate the complaint and report what would be reasonable compensation for the loss complained of.

3. The material submitted by the complainant and the report made by such Officer shall be submitted to the Deputy Minister of Justice together with the following:

- (a) A statement showing whether the Officers or airmen involved were on duty at the time of the alleged occurrence;
- (b) A statement from each such Officer or Airman, if possible, setting forth the circumstances surrounding the complaint as he knows them and whether or not he was on duty at the time;
- (c) Statements from all other persons having any knowledge of such circumstances;
- (d) Copies of all reports made to local authorities in connection with the circumstances giving rise to the complaint;
- (e) Such plans or sketches as may be necessary to understand the exact nature of the occurrence;

and the Deputy Minister of Justice shall be asked for his opinion with regard to the following points:

- (a) as to whether the pecuniary loss complained of, or any part thereof, was caused by a Royal Canadian Air Force aircraft in flight, taking off or landing, or by any article or person falling from any such aircraft, and
- (b) whether such pecuniary loss was contributed to by the negligence of the complainant or of any servant of the complainant acting within the scope of his duties or employment.

4. If the Deputy Minister of Justice gives an opinion to the effect that any part or all of the pecuniary loss complained of was caused by a Royal Canadian Air Force aircraft in flight, taking off or landing or by any article or person falling from any such aircraft, and that such loss was not contributed to by the negligence of the complainant or of a servant of the complainant acting within the scope of his duties or employment, the Minister of National Defence for Air may make application to the Treasury Board for authority to make such payment to the complainant as to him seems reasonable in respect of such part of the pecuniary loss complained of as in the opinion of the Deputy Minister of Justice was caused by such Royal Canadian Air Force aircraft in flight, taking off or landing, or by such article or person falling from such aircraft.

5. (1) When the pecuniary loss, in respect of which any such complaint is received by the Department of National Defence for Air, does not exceed \$200, the Department of National Defence for Air may submit the material referred to in paragraph (3) of these regulations to the Judge Advocate-General instead of to the Deputy Minister of Justice, and ask the Judge Advocate-General for his opinion with regard to the following points:

- (a) As to whether the pecuniary loss complained of, or any part thereof, was caused by a Royal Canadian Air Force aircraft in flight, taking off or landing, or by any article or person falling from any such aircraft, and
- (b) Whether such pecuniary loss was contributed to by the negligence of the complainant, or of any servant of the complainant acting within the scope of his duties or employment.

(2) In any such case, if the Judge Advocate-General gives an opinion to the effect that any part or all of the pecuniary loss complained of was caused by a Royal Canadian Air Force aircraft in flight, taking off or landing, or by any article or person falling from any such aircraft, and that such loss was not contributed to by the negligence of the complainant or of a servant of the complainant acting within the scope of his duties or employment, the Chief Treasury Officer in the Department of National Defence for Air shall, upon the authority of the Deputy Minister of the Department of National Defence for Air, make such payment to the complainant as to the said Deputy Minister seems reasonable in respect of such part of the pecuniary loss complained of as in the opinion of the Judge Advocate-General was caused by such Royal Canadian Air Force aircraft in flight, taking off or landing, or by any such article or person falling from any such aircraft.

6. Any payment made pursuant to these regulations shall be made in full settlement of all legal claims which the complainant may have in respect of the loss complained of.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing expenditures incidental to construction or acquisition of aircraft, ships or stores sold or disposed of, to be treated as recoverable expenditure

P.C. 26/3183

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 21st April, 1942.

The Board had under consideration a memorandum from the Honourable the Acting Minister of Munitions and Supply reporting:

1. "That pursuant to the powers conferred by The Department of Munitions and Supply Act, and with the authority of Your Excellency in Council, the Minister of Munitions and Supply from time to time enters into contracts or places orders for aircraft and ships which it is anticipated will be sold to the United States Government through War Supplies Limited or sold to the Government of the United Kingdom or delivered to the Department of National Defence, and also for miscellaneous stores which are subsequently supplied to contractors engaged in carrying out contracts or orders for the account of the Canadian Government, or which are disposed of in some other manner;

2. That as and when such aircraft, ships and miscellaneous stores are sold or otherwise disposed of, the sale price or value thereof is credited in the accounts of the Department of Munitions and Supply against the expenditures made or incurred for the purpose of or as incidental to the construction or acquisition thereof;

3. That the War Appropriation Act, 1941, provided that, with the approval of Your Excellency in Council, any moneys received as a refund or repayment of any advance, loan or expenditure made under the authority of the said Act, or The War Appropriation Acts of 1939 and 1940, may be re-expended, advanced or loaned for the purposes of the said Act.

The undersigned, therefore, on the advice of the Deputy Minister of Munitions and Supply, has the honour to recommend that under and by virtue of the powers conferred by the War Measures Act, and any other powers in that behalf, Your Excellency be pleased to order that all expenditures heretofore or hereafter made or incurred for the purpose of or as incidental to the construction or acquisition of aircraft, ships or miscellaneous stores sold or disposed of as aforesaid shall be treated as recoverable expenditures and that all amounts paid or credited upon the sale or disposal of such aircraft, ships or miscellaneous stores, as the case may be, may be re-expended or advanced by the Minister of Munitions and Supply for the like purposes, respectively, as the said Minister may from time to time determine."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing expenditures incidental to sale, disposal or transfer of any machinery or equipment to be treated as recoverable expenditures

P.C. 27/3183

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 21st April, 1942.

The Board had under consideration a submission from the Honourable the Acting Minister of Munitions and Supply reporting:

1. That pursuant to the powers conferred by the Department of Munitions and Supply Act, and with the authority of Your Excellency in Council, the Minister of Munitions and Supply from time to time enters into contracts or places orders for the construction of plants, the purchase of machinery and equipment and other capital expenditures required for the purpose of or as incidental to the production of munitions of war and supplies;
2. That the War Appropriation Act, 1941, provided that, with the approval of Your Excellency in Council, any moneys received as a refund or repayment of any advance, loan or expenditure made under the authority of the said Act, or The War Appropriation Acts of 1939 and 1940, may be re-expended, advanced or loaned for the purposes of the said Act.

The Board concur in the above report and recommend that under and by virtue of the powers conferred by the War Measures Act, and any other powers in that behalf, Your Excellency be pleased to order that any amounts paid or credited upon any sale, disposal or transfer of any machinery or equipment heretofore or hereafter acquired as a result of any capital expenditures made or incurred for the purposes aforesaid, may be expended or advanced by the Minister of Munitions and Supply for the acquisition of other machinery or equipment for the same project against which the sale was originally applied.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 1875—Army Technical Development Board

P.C. 49/3183

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 21st April, 1942.

The Board recommend that Paragraph 3 of Order in Council P.C. 1875 of the 10th March, 1942, be amended by the deletion of the words "on the recommendation of the Master-General of the Ordnance with the approval of the Minister of National Defence" in the second, third and fourth lines of the said paragraph; and the substitution therefor of the words "by the Governor in Council".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council extending service of Contributor under Civil Service Superannuation Act, beyond the age of seventy years

P.C. 107/3183

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 21st April, 1942.

The Board recommend, under the War Measures Act, in view of the present emergency and shortage of manpower in Canada, and in view of the urgent need to make use of the services of all skilled and experienced persons in Canada in those capacities for which they are best fitted to serve:—

1. That for the duration of the present war, any contributor under the Civil Service Superannuation Act who is beyond the age of seventy years and who has been certified by the Deputy Head of his Department to be fully competent to discharge the duties of his position, shall for the purposes of section ten of the said Act be deemed to possess peculiar efficiency and fitness for his position and that it shall be deemed in the public interest to have such contributor continue in office beyond the said age;

2. That if the Deputy Head of the Department certifies that such contributor is

"fully competent to discharge the duties of his position" such a certificate shall for the duration of the present war be deemed the equivalent of a certificate that

"on account of his peculiar efficiency and fitness for his position the continuance in office of such contributor beyond the said age is in the public interest"

and shall, notwithstanding the terms of section ten of the said Act, constitute a sufficient report, if concurred in by the Head of the Department and the Treasury Board, to authorize His Excellency the Governor in Council to extend annually the service of such contributor beyond the said age for a period not exceeding five years.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 1665—removal of Japanese upon
termination of the war between Canada and Japan

P.C. 3213

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 21st day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1665 dated March 4, 1942, as amended by Order in Council P.C. 2483 dated March 27, 1942, the British Columbia Security Commission was established for the purpose of planning, supervising and directing the evacuation from the protected areas of British Columbia of all persons of the Japanese race, and for such purpose was empowered to determine, among other things, all matters relative to the placement of such persons;

And whereas it is represented to the Minister of Justice that it is desirable to empower the Commission to enter into an agreement with the government of any province relative to the placement in such province of persons of the Japanese race evacuated from the protected areas of British Columbia and to undertake to remove such persons upon the termination of the state of war now existing between Canada and Japan.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of The War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the regulations established by Order in Council P.C. 1665 dated March 4, 1942, as amended by Order in Council P.C. 2483 dated March 27, 1942, and they are hereby further amended by adding the following paragraph to regulation 10 thereof:

"(7) Any such plan or plans, approved as aforesaid, may authorize the Commission to enter into an agreement with the Government of any Province relative to the placement in such Province of persons of the Japanese race evacuated from the protected areas of British Columbia under the provisions of these regulations, and any such agreement may provide that any such persons will be removed from such Province upon the termination of the state of war now existing between Canada and Japan."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Metals Controller to pay storage charges on Tin

P.C. 3264

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 23rd day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Munitions and Supply reports,—

That by Order in Council P.C. 7495 of the 19th December, 1940, the Metals Controller was granted authority to purchase two thousand (2,000) long tons of tin; and

That by said Order in Council P.C. 7495, authority was granted for the payment for such tin from the funds provided under The War Appropriation Act, as the purchase price thereof, delivered to and placed in the place of storage, of a sum not less than Three Million Dollars (\$3,000,000) for which the Department holds on its file Department of Munitions and Supply Financial Encumbrance No. 225, dated the 14th December, 1940; and

That by Order in Council P.C. 9250 of the 27th November, 1941, the authority granted to the Metals Controller by said Order in Council P.C. 7495 was increased to authorize him to purchase an additional two thousand (2,000) long tons of tin and the sum authorized to be paid as the price for such tin under the said Order in Council P.C. 7495 was increased by the sum of Two Million Two Hundred and Fifty Thousand Dollars (\$2,250,000), for which additional sum the Department holds on its file Department of Munitions and Supply Financial Encumbrance No. 225, dated the 14th December, 1940, such additional tin to be purchased and held in reserve by the Metals Controller subject to the conditions set out in said Order in Council P.C. 7495; and

That under the above recited authority, the Metals Controller has purchased and will be purchasing tin in many parts of Canada and elsewhere; and

That it was one of the conditions of said Order in Council P.C. 7495 that the Metals Controller should, in respect of tin purchased by him under the authority of said Order in Council P.C. 7495, obtain from any person, firm or corporation with whom he might store any of such tin, Agreements in writing to store such tin in a manner adequate to protect it from loss and to the satisfaction of the Metals Controller, and without cost or charge to His Majesty; and

That it has become desirable to accumulate substantial stocks of tin in suitable central warehouses serving various areas in Canada; and

That it has therefore become necessary and desirable for the Metals Controller to have authority to make arrangements for storage for any part of such tin with persons, firms or corporations, under a contract to pay such persons, firms or corporations, compensation for storing such tin.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the authority of the Department of Munitions and Supply Act and The War Measures Act, is pleased to order and doth hereby order as follows:

1. The Metals Controller shall in respect of any tin heretofore or hereafter purchased by him under the authority given to him under Orders in Council P.C. 7495 of the 19th December, 1940, and P.C. 9250 of the 27th November, 1941, enter into contracts on such terms and in such forms as in his opinion will be adequate to protect such tin from loss, and may in such contracts agree to pay at the cost of His Majesty the King in right of Canada, such storage as to the Metals Controller may seem fit, and such storage charges shall be charged against and be payable out of the sums of Three Million Dollars (\$3,000,000) and Two Million, Two Hundred and Fifty Thousand Dollars (\$2,250,000) for which the Department holds on its file, Department of Munitions and Supply Financial Encumbrance No. 225 dated the 14th December, 1940.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Regulations respecting Supplies

Canada Gazette (Extra), June 3, 1942

P.C. 3315

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 24th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 6391 of 19th August, 1941, provision was made for the appointment of a Controller of Supplies, and Regulations Respecting Supplies were established, by virtue of which certain powers and duties were conferred or charged upon the Controller of Supplies;

And whereas by Order in Council P.C. 7174 of 12th September, 1941, the said Regulations Respecting Supplies were amended by amending the definition of "supplies" and by conferring additional powers on the Controller of Supplies;

And whereas by Order in Council P.C. 9282 of November 27th, 1941, the said Regulations Respecting Supplies were further amended by further amending the definition of "supplies" and extending the powers of the Controller of Supplies;

And whereas the Minister of Munitions and Supply reports that it is deemed necessary to further amend the said Regulations Respecting Supplies as hereinafter provided;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the authority of The Department of Munitions and Supply Act and The War

Measures Act, is pleased to amend the said Regulations Respecting Supplies established by Order in Council P.C. 6391 of 19th August, 1941, and amended as aforesaid, and they are hereby further amended as follows:

1. Paragraphs (c), (d), (e), (f), (g) and (h) of Section 1 of the said Regulations are rescinded and the following two paragraphs to be known as paragraphs (c) and (d) are substituted therefor:

“(c) ‘dealing in’ shall include the following activities or undertakings and shall also include the doing of any act in preparation for or in the course of any of them:

buying, selling, exhibiting for sale, taking or receiving orders for, leasing, hiring, lending, borrowing, exchanging, acquiring, importing, storing, supplying, delivering, transporting, distributing, dispensing, shipping, conveying, installing, mortgaging, encumbering, bartering, trading, giving, transferring, mounting, using or consuming, and ‘deal in’ and ‘dealt in’ shall have similarly extended meanings;

“(d) ‘making’ shall include the following activities or undertakings and shall also include the doing of any act in preparation for or in the course of any of them:

manufacturing, fabricating, assembling, producing, processing, refining and constructing; and ‘make’ and ‘made’ shall have similarly extended meanings.”

2. Section 2 of the said Regulations is amended by adding two new paragraphs immediately after paragraph (t) of the said section, the said new paragraphs to be known as paragraphs “(u)” and “(v)” and to read as follows:

“(u) To order or require any person owning or having power to dispose of or being in possession of or making and/or dealing in supplies or equipment to keep such books, accounts and/or records as may from time to time be prescribed by the Controller either generally or specifically;

“(v) To order or require any person making and/or dealing in supplies or equipment to make or procure the making of such checks and/or audits of the books, accounts and/or records of such person, or of any other person who has received, directly or through another supplier, supplies or equipment sold or supplied by such person, as may from time to time be prescribed by the Controller either generally or specifically;”

3. Section 6 of the said Regulations is revoked and the following section is substituted therefor:

“6. The Controller of Supplies shall have power by order to prohibit and restrain any person from making and/or dealing in any supplies and/or equipment or from dealing in any supplies and/or equipment at any place or in any area or zone specified by the Controller, and to this end the Controller may order such acts or things to be done or omitted as he may deem necessary to prevent or preclude the use of any particular supplies or equipment or any plant, building or place in breach of such order. The Controller may exercise the said power, to prevent or preclude any breach or further breach or apprehended breach of any order (whether general or specific) of the Controller or the Deputy Controller or any person acting under the authority of any of them.”

4. A new section to be known as Section 10 is added to the said Regulations immediately after Section 9 thereof, the said new section to read as follows:

"10. The Controller shall have power to delegate from time to time, to any person or persons any power vested in the Controller under these regulations, including any power involving the exercise of a discretion, and the exercise of any discretion, and such person shall have full power to exercise the power or discretion so delegated, subject however in all cases to review by the Controller."

His Excellency in Council is further pleased to order and it is hereby ordered that all of the above amendments set out in Sections 1 to 4 inclusive next preceding shall be deemed to have come into effect on the 20th day of April, 1942.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council permitting U.S. Government to establish and operate
radio stations in certain places in Canada**

P.C. 3363

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 28th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas an agreement has been made between the Governments of the United States and Canada pursuant to the recommendation of the Permanent Joint Board on Defence whereby the Government of the United States will undertake the construction and wartime maintenance of a highway whose termini will connect with existing roads in Canada and Alaska;

And whereas the Minister of Munitions and Supply reports that, in connection with the construction of said highway and other defence measures undertaken by the Government of the United States on the recommendation of the said Joint Board for the defence of Alaska, the West and East coasts of Canada, and Newfoundland, the Government of the United States is making use of Canadian airways and air routes for the transport by air of materials, supplies, personnel and aircraft;

That the Government of the United States desires permission to establish and operate radio stations in Canada in connection with the construction and maintenance of said highway and the use by United States aircraft of Canadian airways and air routes for the transportation aforesaid, and also in connection with other defence measures which may be undertaken in Canada by the Government of the United States;

That The Radio Act, 1938, provides, *inter alia*, that no person shall establish or operate any radio station in Canada except under and in accordance with a licence granted in that behalf by the Minister and that no person shall be employed as a radio operator at any coast, land or mobile station unless he is a British subject; and that the Radio Regulations, Part II, provide, *inter*

alia, that licences for radio stations may be issued only to British subjects or to companies incorporated under the laws of the Dominion of Canada or any of the Provinces thereof; and

That it is deemed expedient, as a war measure, to authorize the Minister of Munitions and Supply to grant permission to the Government of the United States to establish and operate radio stations in Canada and to employ radio operators in connection therewith who are not British subjects.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding the provisions of The Radio Act, 1938, or any regulation made thereunder, is pleased to authorize and doth hereby authorize the Minister of Munitions and Supply to grant permission, from time to time and for the purposes as aforesaid, to the Government of the United States to establish and operate by its servants or agents, at such places in Canada as the said Minister may approve, radio stations equipped with transmitting or receiving radio apparatus or both and private receiving stations, and to employ or authorize the employment of radio operators in connection therewith who are not British subjects, such permission to be in such form and terms and on such conditions and for such length of time as the said Minister may deem advisable in the public interest.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting exportation of coffee except under permit

Canada Gazette (Extra), April 28, 1942

P.C. 3364

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 24th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of October 4, 1941, P.C. 7674, the exportation from Canada of certain articles is prohibited, except under permit issued by or on behalf of the Minister of Trade and Commerce;

And whereas the Wartime Prices and Trade Board has recommended that, in order to conserve supplies essential for Canadian requirements, the exportation of coffee be now prohibited;

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C., 1927) is pleased to order as follows,—

1. The exportation of Coffee is hereby prohibited except under permit issued by or on behalf of the Minister of Trade and Commerce.

2. Schedule One of the said Order in Council (P.C. 7674 of October 4, 1941) is hereby amended by the addition of the above commodity to Group One thereof.

3. This Order shall come into force and have effect on and after the twenty-ninth day of April, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Maximum Rentals Regulations

Canada Gazette (Extra), April 25, 1942

P.C. 3365

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 24th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that he has received representations from the Wartime Prices and Trade Board to the effect that reports and investigations lead to the belief that some persons in some areas of Canada have charged or collected rentals in excess of those fixed by the Maximum Rentals Regulations established by Order in Council P.C. 8965 of the 21st day of November, 1941, by reason of construction of some provisions in such Regulations in a manner contrary to the original intent thereof; and

That from experience gained and on the advice of law enforcement officers, the Wartime Prices and Trade Board deems it advisable and in the public interest that the said intent be declared by amendment as hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to amend the Maximum Rentals Regulations, established by Order in Council P.C. 8965, of November 21, 1941, and they are hereby amended as follows,—

1. Subsection (1) of Section 2 of the said Regulations is amended as follows:

(1) by deleting clause (b) thereof and by substituting therefor the following clause:

“(b) “landlord” means any person who lets or sublets or grants any leave and licence for any real property, and includes a mortgagee or chargee in possession and any person entitled to possession under any judgment or order of a Court or under any statute;”

(2) by deleting clause (c) thereof and by substituting therefor the following clause:

“(c) “lease” means and includes every enforceable contract for the letting or sub-letting of real property and every leave and licence

for the use of real property whether such contract or leave and licence is made orally, in writing or by deed; and the verbs "let" and "rent" shall have similarly extended meanings;"

- (3) by deleting clause (e) thereof and by substituting therefor the following clause:

"(e) "real property" means any improved or unimproved land, any store, shop, office building, factory, warehouse, suite, office or other place of business, hotel, inn, inn or hotel room, house, boarding house, lodging house, tourist home or cabin, apartment, flat, room or other place of dwelling, and any structure or part of a structure used for combined business and dwelling purposes, together with all appurtenances thereto belonging, and such heating, lighting, water, garage, janitor and other services, and such plant, equipment, furniture, furnishings or facilities, as are supplied by the landlord or which the landlord expressly or impliedly agreed to supply;"

- (4) by deleting clause (g) thereof and by substituting therefor the following clause:

"(g) "rent" or "rental" means any payment or consideration, including any bonus, gratuity or benefit, charged, demanded, received, collected or paid per day, week, month or year or other period of time, as the case may be, for the use or occupancy of real property;"

2. Subsection (1) of Section 3 of the said Regulations is amended by deleting the words: "the maximum rental at which any real property may be rented or offered for rent", and by substituting therefor the words: "the maximum rental for any real property".

3. Section 4 of the said Regulations is amended by inserting after the word "leases" the words "made after October 11, 1941" so that such Section will read as follows:

"4. All leases made after October 11, 1941, are hereby amended in so far as is necessary to give effect to these regulations."

4. Section 5 of the said Regulations is amended by deleting the words "rent or offer for rent" and by substituting therefor the words "let or offer to let" and by inserting at the end thereof the words "or shall charge, demand, receive, collect or pay a rental for any real property in excess of such maximum rental", so that such Section will read as follows:

"5. No person, on behalf of himself or of another person, shall let or offer to let any real property at a rental that is higher than the maximum rental fixed by these regulations or fixed under the provisions of any order of the Board, or shall charge, demand, receive, collect or pay a rental for any real property in excess of such maximum rental."

5. Section 10 of the said Regulations is amended by inserting after the word "inspection" the words "by any authorized representative of the Board, by any purchaser or prospective purchaser or by any tenant or prospective tenant," so that such Section will read as follows:

"10. Every landlord or his agent shall prepare and keep available for inspection by any authorized representative of the Board, by any purchaser or prospective purchaser or by any tenant or prospective tenant, a record describing clearly and fully any of his real property the maximum rental for which is fixed by these regulations or fixed under the provisions

of any order of the Board, and stating the amount of the rental so fixed and the name of the tenant who was or is obligated to pay such rental and the name of each subsequent tenant."

6. Section 11 of the said Regulations is amended by inserting at the end thereof the words:

"and such recovery may be by civil action or by deducting such excess from rental or instalments of rental due or accruing due by him to the person who collected or received such excess."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Wartime Leasehold Regulations

Canada Gazette (Extra), April 25, 1942

P.C. 3366

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 24th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, by Order in Council P.C. 9029 of the 21st day of November, 1941, The Wartime Leasehold Regulations were made and established;

And whereas, it is deemed advisable to amend the said Regulations as hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to amend the Wartime Leasehold Regulations established by Order in Council P.C. 9029 of November 21, 1941, and they are hereby amended as follows:

1. Subsection (1) of Section 2 of the said Regulations is amended as follows:

(1) by deleting clause (b) thereof and by substituting therefor the following clause:

"(b) "landlord" means any person who lets or sublets or grants any leave and licence for any real property, and includes a mortgagee or chargee in possession and any person entitled to possession under any judgment or order of a Court or under any statute;"

(2) by deleting clause (c) thereof and by substituting therefor the following clause:

"(c) "lease" means and includes every enforceable contract for the letting or sub-letting of real property and every leave and licence for the use of real property whether such contract or leave and licence is made orally, in writing or by deed; and the verbs "let" and "rent" shall have similarly extended meanings;"

- (3) by deleting clause (g) thereof and by substituting therefor the following clause:

“(g) “real property” means any improved or unimproved land, any store, shop, office building, factory, warehouse, suite, office, or other place of business, hotel, inn, inn or hotel room, house, boarding house, lodging house, tourist home or cabin, apartment, flat, room or other place of dwelling, and any structure or part of a structure used for combined business and dwelling purposes, together with all appurtenances thereto belonging, and such heating, lighting, water, garage, janitor and other services, and such plant, equipment, furniture, furnishings or facilities, as are supplied by the landlord or which the landlord expressly or impliedly agreed to supply;”

- (4) by deleting clause (i) thereof and by substituting therefor the following clause:

“(i) “rent” or “rental” means any payment or consideration including any bonus, gratuity or benefit, charged, demanded, received, collected or paid per day, week, month or year or other period of time, as the case may be, for the use or occupancy of real property;”

- (5) by deleting clause (f) thereof and substituting therefor the following clause:

“(f) “order” means any order, prescription, prohibition, restriction or limitation made, issued or established by the Board or by a Rentals Administrator and includes any general or specific instructions issued by the Board or by a Rentals Administrator;”

- (6) by deleting clause (j) thereof and substituting therefor the following clause:

“(j) “Rentals Administrator” means a person duly appointed as such by the Board with the approval of the Governor in Council and includes a Deputy Rentals Administrator and the Administrator or Deputy Administrator of Rental Appeals similarly appointed;”

- (7) by inserting after the word “Board” in clause (k) thereof the words “or by a Rentals Administrator”.

2. Section 3 of the said Regulations is amended by adding thereto the following subsections:

“(5) The Board may delegate to a Rentals Administrator and authorize him to exercise, under the direction of the Board, any of the powers and discretions vested in the Board by these regulations;”

“(6) Every order made pursuant to the powers conferred by these regulations shall apply throughout Canada unless otherwise provided therein, but may apply to such area or areas in Canada or to such class or classes of persons or to such type or types of real property as such order may designate.”

3. Subsection (1) of Section 5 of the said Regulation is deleted and the following is substituted therefor:

“(1) No person on behalf of himself or of another person shall let or offer to let any real property at a rental that is higher than is reasonable and just or shall charge, demand, receive, collect, or pay such a rental provided that, if a maximum rental therefor has been fixed by the Maximum Rentals Regulations or by or under any order of the Board or of a Rentals Administrator, any rental in excess of such maximum rental shall be conclusively

deemed to be higher than is reasonable and just and provided further that any person who, on behalf of himself or of another person, has heretofore charged, demanded, received, collected or paid a rental for any real property in excess of the maximum rental fixed by any order shall be deemed to have contravened this subsection and to be guilty of an offence and the penalties provided in Section 6 of these regulations shall apply to any such offence."

4. Subsection (7) of said Section 5 of the said Regulations is deleted and the following is substituted therefor:

"(7) No person shall aid or abet the commission of any offence under these regulations or attempt to commit or conspire with any other person by any means whatsoever to commit an offence under these regulations."

5. Section 6 of the said Regulations is deleted and the following is substituted therefor:

"6. Any person who contravenes or fails to observe any regulation, order or requirement, or who enters into any transaction or arrangement designed for the purpose or having the effect of evading any of these regulations or of any order, or who makes any false statement or representation furnished pursuant to any regulation, order or requirement for the use or information of the Board or of a Rentals Administrator or of any other person, shall be guilty of an offence and liable upon indictment or upon summary conviction under Part XV of the Criminal Code to a penalty not exceeding five thousand dollars or to imprisonment for any term not exceeding two years or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any such offence by such company or corporation shall be guilty of such offence personally and cumulatively with the said company or corporation."

6. Subsection (1) of Section 8 of the said Regulations is amended by deleting the words "and to be signed by the Rentals Administrator or the Deputy Rentals Administrator by way of approval."

7. Section 8 of the said Regulations is amended by adding the following subsection:

"(3) In any proceedings in any Court, a document purporting to be signed by a Rentals Administrator, a Rentals Committee or the Chairman thereof, shall be receivable in evidence without proof of the signature or of the official character of the person or persons appearing to have signed the same and without further proof thereof."

8. Section 9 of the said Regulations is amended by adding the following subsection:

"(4) If in any proceedings for an offence against these regulations the prosecution proves that any rental was charged, demanded, received, collected or paid before or since October 11, 1941, for any real property, the maximum rental for which has been fixed by these regulations, or by or under any order of the Board, such rental shall in the absence of evidence to the contrary be deemed to be at a rate not less than such maximum rental."

9. Subsection (1) of Section 10 of the said Regulations is deleted and the following is substituted therefor:

“(1) Any order which is published in the *Canada Gazette* and is to take effect on a date specified in such order not earlier than the date of publication in the *Canada Gazette* shall have the same force and effect as if such Order were expressly set forth in these regulations but nothing herein contained shall be construed so as to require the publication of any Order in the *Canada Gazette*; and every regulation and order shall be construed as an Act to which the provisions of the Interpretation Act shall extend and apply.”

10. Subsection (2) of Section 10 of the said Regulations is amended by inserting after the words “issued by the Board” the words “or by a Rentals Administrator.”

11. Section 10 of the said Regulations is amended by adding the following subsections:

“(3) Every order made, issued or established by a Rentals Administrator which is required to be approved or concurred in by the Board or by any officer of the Board shall be conclusively deemed to have had such approval or concurrence and in any proceedings in any Court no person shall be bound or entitled to enquire or ascertain whether such approval or concurrence was in fact given.”

“(4) In any proceedings in any Court, the affidavit of the Chairman or the Secretary of the Board or of a Rentals Administrator that he has knowledge of the facts and that an annexed document is a true copy of an order or requirement shall be received as *prima facie* evidence that such order or requirement was made, issued or established and that such document is a true copy thereof without proof of the signature or the official character of the deponent and without further proof thereof.”

12. Section 11 of the said Regulations is deleted and the following is substituted therefor:

“11. (1) Every landlord or his agent shall prepare and keep available for inspection by any authorized representative of the Board, by any purchaser or prospective purchaser or by any tenant or prospective tenant, a record describing clearly and fully any of his real property the maximum rental for which is fixed by the Maximum Rentals Regulations or fixed under the provisions of any order of the Board, and stating the amount of the rental so fixed and the name of the tenant who was or is obligated to pay such rental and the name of each subsequent tenant.

(2) In any proceedings for an offence against these regulations, evidence by the accused that he did not inspect or examine or did not know of the existence of such record or did not know the lawful maximum rental for any real property shall not constitute a defence.”

13. Section 12 of the said Regulations is deleted and the following is substituted therefor:

“12. No person shall have any right to collect a rental in excess of the maximum rental fixed by the Maximum Rentals Regulations or fixed under the provisions of any order of the Board, and any person who pays an amount in excess of such maximum rental may

recover the excess notwithstanding that such person may have been guilty of an offence in paying such excess and such recovery may be by civil action or by deducting such excess from rental or instalments of rental due or accruing due by him to the person who collected or received such excess."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prescribing schedules of basic wage rates and cost of living bonus—H.M.C. Dockyard, Halifax, and of Halifax Shipyards Ltd.

P.C. 3471

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 28th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas disparity in the wage rates of shipyard employees in the Maritime Provinces has been a cause of unrest tending to decrease efficiency;

And whereas the Minister of Labour reports that a plan for stabilizing basic wage rates paid employees of H.M.C. Dockyard, Halifax, and Halifax Shipyards, Limited, has been developed, after a study of the wage rates now paid and the working conditions in effect therein; and

That the management of the Halifax Shipyards Limited and the Industrial Union of Marine and Shipbuilding Workers of Canada, Local No. 1, Halifax, N.S., have agreed upon the aforesaid plan;

And whereas the Minister of Labour further reports, with the concurrence of the Minister of National Defence for Naval Services with respect to H.M.C. Dockyard, Halifax, and of the Minister of Munitions and Supply with respect to the Halifax Shipyards, Limited, that in the interest of industrial peace it is desirable that immediate effect should be given to the aforesaid plan;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act (Chapter 206, Revised Statutes of Canada, 1927), is pleased to order and doth hereby order that the basic wage rates and cost of living bonus for mechanics and other employees of H.M.C. Dockyard, Halifax, and of Halifax Shipyards, Limited, shall be those prescribed in the appended Schedules Nos. I and II respectively.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

SCHEDULE No. 1 H.M.C. DOCKYARD, HALIFAX—SHEET 1

WAGE RATES IN CENTS PER HOUR EFFECTIVE MARCH 30, 1942.

Classification	First Class	Second Class	Third Class
Instrument Repair Specialist.....	\$1.25		
Instrument Repair Man.....	1.00		
Bricklayer—Furnace.....	1.00		
Elec. Crane Operator—Dockside.....	.80		
Boiler Inspector.....	.85	\$0.75	
Blacksmiths.....	.80	.75	
Boilermakers.....	.80	.75	
Chippers and Caulkers.....	.80	.75	
Caulkers—Wood.....	.80	.75	
Crane Operator—Crawler.....	.80	.75	
Carpenters and Joiners.....	.80	.75	
Electricians.....	.80	.75	
Leatherworker.....	.80	.75	
Machinists—Inc. Fitters.....	.80	.75	
Pipefitters, Steamfitters and Plumbers.....	.80	.75	
Patternmakers.....	.80	.75	
Rivetters.....	.80	.75	
Sheet Metal Workers.....	.80	.75	
Tool Repair Man.....	.85	.80	\$0.75
Welders (Acetylene and Electricity).....	.80	.75	
Coppersmiths.....	.80	.75	
Shipwrights.....	.80	.75	
Painters—Finishers.....	.80	.75	
Improvers—Skilled Trades.....	.69	.64	.59
Burners and Cutters.....	.75	.69	
Riggers and Sailmakers.....	.69		
Babitters.....	.69	.64	
Motor Mechanics.....	.69	.64	
Improvers—Semi-Skilled Trades.....	.59	.53	
Coxswain—Motor Boat Operators.....	.69	.64	
Diesel Engineer.....	.64		
Holder-on-Bucker-up.....	.64		
Maintenance Welding and Compressors.....	.64		
Mill Hand—Shipwright Shop.....	.64		
Storekeeper.....	.64	.59	.53
Crane Operator—Shop.....	.64	.59	
Crane Operator—Small Tractor.....	.59		
Flask Annealer.....	.59		
Torpedo Mechanic.....	.59		
Rivet Heater.....	.59		
Reamers.....	.53		
Boiler Scalers.....	.53		
Helpers—Skilled Trades.....	.53		
Sewing Machine Operator—Male.....	.53		
Truck Driver.....	.53		
Motor Boat Chauffeur.....	.53		
Waterman.....	.53		
Sweeper.....	.45		
Labourers—Regular.....	.45		
Labourers—Casual.....	.42		
Seamstress.....	.50	.40	.30
Passer Boys.....	.36		
Demand Clerks—Girls.....	.30		
Bedford Magazine—			
Examiners.....	.67	.57	.51
Magazine Workers.....	.67	.57	.51
Checkers.....	.67		
Chargemen.....	.67		
Tractor Drivers.....	.67		
Caretaker.....	.475		
Over the basic trade rate:			
Assistant Trades Foreman.....	.15		
Charge Hands.....	.10		
Work recognized in the industry as "Dirty Work".....	.10		

Cost of Living Bonus

Effective with the first payroll period beginning on or after February 15, 1942, all adult male employees and all other employees employed at basic wage rates of \$25 or more per week shall be paid a cost of living bonus of \$1.25 per week. Male employees under 21 years of age and female workers employed at basic wage rates of less than \$25 per week shall be paid a cost of living bonus equal to 5% of the basic weekly wage rates. The cost of living bonuses so provided shall be redetermined quarterly for the first payroll period beginning on or after the 15th day of the months of May, August, November and February, in accordance with the provisions of section 12 of Order in Council P.C. 8253 and amendments.

Preservation of Existing Rates

Employees in any classification whose rates of pay on the effective date of this schedule were in excess of those set forth in the schedule shall not suffer a reduction in wage rates as a result of its application, but all others must be paid at the rates prescribed for their respective classifications.

Any employee who continues to receive a higher wage rate than that prescribed by the schedule for his classification shall not receive a cost of living bonus until such time as the amount of the bonus payment reduced to an equivalent hourly rate exceeds the difference between the wage rate actually received and the basic wage rate prescribed by this schedule.

Bedford Magazine

For those classifications which are common to both the Bedford Magazine and H.M.C. Dockyard, Halifax, the wage rate at Bedford Magazine shall be 2½ cents in excess of the wage rate prescribed for H.M.C. Dockyard.

SCHEDULE No. 2 HALIFAX SHIPYARDS, LIMITED—SHEET 1

WAGE RATES IN CENTS PER HOUR EFFECTIVE MARCH 29, 1942.

	Tradesmen		Improvers			Helpers	Begin- ners
	2nd	1st	3rd	2nd	1st		
Acetylene Burners.....		\$0.73	\$0.52	\$0.58	\$0.64		\$0.42 and .47
Acetylene Tankmen.....		.50					
Acetylene Welders.....	\$0.75	.80					
Anglesmiths.....	.75	.80					
Blacksmiths.....	.75	.80	.59	.64	.69	\$.53	
Boilermakers.....	.75	.80	.59	.64	.69	.53	
Bolters-up.....		.53					
Brakemen—Locomotive.....		.53					
Caulkers, Wood.....	.70	.75			.60	.53	
Chippers and Caulkers.....	.75	.80		.53	.63		
Compressor Operators—Stationary Plant.....		.58½					
Coppersmiths.....	.80	.83½	.59	.64	.69	.53	
Dockmen—Cradlemen.....		.71½					
Dock Pump Operators.....		.75					
Docking Hands—Halifax.....		.50					
Drillers.....		.60					
Electricians.....	.75	.80	.59	.64	.69	.53	
Electric Welders.....	.75	.80	.47	.57	.67		.42
Erectors.....	.53	.59					

SCHEDULE No. 2 HALIFAX SHIPYARDS, LIMITED—SHEET 1—*Conc.*

WAGE RATES IN CENTS PER HOUR EFFECTIVE MARCH 29, 1942.

	Tradesmen		Improvers			Helpers	Beginners
	2nd	1st	3rd	2nd	1st		
Firemen—Oil Fired Boilers.....		.69					
Firemen—Coal “ “.....		.53					
Furnacemen.....	.75	.80	.59	.64	.69	.53	
Furnace Operators.....		.53					
Hauling Plant Operators.....		.58½					
Heaters—Rivet.....		.59					
Holders-On.....		.64					
Joiners.....	.75	.80	.59	.64	.69	.53	
Saw Filers.....		.85					
Labourers—Common.....		.45					
Loftsmen.....	.75	.80	.59	.64	.69	.53	
Machinists.....	.75	.80	.59	.64	.69	.53	.43
Motor Boat Operators.....	.63	.69½					
Motor Boat Crew.....		.58					
Operators, Floating Crane.....		.90					
“ Locomotive Cranes.....	.75	.80			.69		
“ Locomotive.....	.75	.80					
“ Electric Crane—Outside.....	.75	.80					
“ “ Inside.....		.64					
“ Machines—Plate Shop.....	.59	.64					
“ Portable Welders and Compressors.....		.68					
Painters—Finishers.....	.75	.80	.59	.64	.69	.53	
“ Spray Operators.....		.63					
“ Brush Hands.....		.50					
Patternmakers.....	.75	.80	.59	.64	.69		
Pipefitters.....	.75	.80	.59	.64	.69	.53	
Plumbers.....	.75	.80	.59	.64	.69	.53	
Reamers.....		.53					
Riggers.....	.64	.69			.58	.53	
Rivettters.....	.75	.80					
Rivet Passer Boys.....		.36					
Shipfitters.....	.75	.80	.59	.64	.69	.53	.43
Sheet Metal Workers.....	.75	.80	.59	.64	.69	.53	
Shipwrights.....	.75	.80	.59	.64	.69	.53	
Straighteners.....	.70	.75			.63	.53	
Track Repairmen.....		.50					
Tool Repairmen.....	.80	.87					
Truck Drivers.....		.58					
Apprentices—All Trades.....							.22
Over Basic Trade Rate:							
Charge Hands.....		.10					
Work recognized in the industry as “Dirty Work”.....		.10					

Cost of Living Bonus

Effective with the first payroll period beginning on or after February 15, 1942, all adult male employees and all other employees employed at basic wage rates of \$25 or more per week shall be paid a cost of living bonus of \$1.25 per week. Male employees under 21 years of age and female workers employed at basic wage rates of less than \$25 per week shall be paid a cost of living bonus equal to 5% of the basic weekly wage rates. The cost of living bonuses so provided shall be redetermined quarterly for the first payroll period beginning on or after the 15th day of the months of May, August, November and February, in accordance with the provisions of section 12 of Order in Council P.C. 8253 and amendments.

Order in Council exempting anthracite coal from customs duty

P.C. 3472

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 28th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, is pleased to order that the provision of Order in Council P.C. 394 of January 20th, 1942:

"that anthracite coal provided for in Item 586 of Schedule 'A' of the Customs Tariff, originating in countries the products of which are subject to Intermediate or General Tariff treatment, shall be exempt from customs duty and war exchange tax, when imported into a sea, lake or river port of the provinces of Prince Edward Island, New Brunswick and Nova Scotia, during the period January 1st, 1942, to April 30th, 1942." be and it is hereby extended from April 30th, 1942, until further notice.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council prohibiting import of electric torches or flashlights
and dry cell batteries

P.C. 3505

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 30th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that the production in Canada of dry cell batteries has been curtailed in order to increase the supply of zinc available for war purposes;

That an abnormal increase in importations of dry cell batteries and of flashlights threatens to prejudice the aforesaid conservation measure; and

That in order that control may be exercised over such importations, it is deemed advisable to amend the War Exchange Conservation Act, 1940, as hereinafter provided.

Now Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the powers conferred by authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order that the following Items be and they are hereby inserted in Part Two of Schedule One to the War Exchange Conservation Act:—

<i>Tariff Item Number</i>	<i>Description</i>
ex 445a:	Electric torches or flashlights and complete parts therefor.
ex 445e:	Dry cell batteries, n.o.p.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing regulations with respect to Markings on
Bacon and other Pork Products

P.C. 3509

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 30th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under the provisions of the Meat and Canned Foods Act, Chapter 77, Revised Statutes of Canada, 1927, as amended, certain markings are required to be placed on packages containing bacon or other pork products;

And Whereas the Minister of Agriculture reports that under war conditions the United Kingdom Ministry of Food does not require the detailed markings prescribed under the said Act;

That, in order to conserve labour and material, it is deemed expedient and desirable to require only such markings as are essential to the identification and description of such products;

Now, Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased to make the following regulation and it is hereby made and established accordingly:—

REGULATION WITH RESPECT TO MARKINGS ON BACON AND OTHER
PORK PRODUCTS

The Minister of Agriculture may, in his discretion, and notwithstanding the provisions of the Meat and Canned Foods Act, Chapter 77, Revised Statutes of Canada, 1927, prescribe, amend or modify the markings to be placed on any package containing bacon or other pork products intended for export to the United Kingdom.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing appointment of Controller of Ship
Loading Operations

P.C. 3511

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 30th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that as directed by Order in Council P.C. 1758 of 9th March, 1942, and after consultation with representatives of the shipping and stevedoring companies and the Longshoremen's Union of the

Port of Halifax, he has prepared a wartime plan for the re-organization of ship loading and unloading operations in that Port embodying in substance the basic elements set forth in said Order in Council with such variations as now seem expedient to him; and that it is desirable that this wartime plan be incorporated in a new Order in Council;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under authority of the War Measures Act, (Chapter 206 of the Revised Statutes of Canada, 1927) and of the National Resources Mobilization Act, 1940 (Chapter 13 of the Statutes of Canada, 1940), is pleased to make and doth hereby make the following order:

ORDER

1. There shall be a Controller of Loading Operations; a Port Loading Superintendent; and a Chief Dispatcher for the Port of Halifax, N.S., to be appointed by the Governor in Council.

2. It shall be the duty of the Controller of Loading Operations (hereinafter referred to as the Controller) to co-ordinate the activities of all persons, companies, organizations, associations and agencies directly or indirectly engaged or concerned in ship loading and unloading operations in the Port of Halifax, and to carry out all duties assigned to him by the Governor in Council by this or subsequent Orders for the purpose of improving the wartime efficiency of such operations.

3. The Controller shall have, exercise and enjoy all powers and authority necessary for the effective execution of the duties and the attainment of the objects in this Order mentioned; and in particular (but not so as to restrict the generality of the foregoing) the Controller shall have power and authority:

- (a) To give directions to, and to make orders, and decisions binding upon, all persons, companies, organizations, associations and agencies engaged or concerned in ship loading or unloading at the Port of Halifax with respect to all matters, whether general or special, other than wage rates, affecting working and hiring conditions, practices and methods in connection with ship loading and unloading operations.
- (b) To decide any dispute arising in connection with such conditions, practices and methods, or generally concerning any matters arising out of the provisions of this Order or any direction, order, or decision given or made by the Controller, his decision thereon shall be final and conclusive.
- (c) To supervise and control the establishment, operation and administration of the Central Dispatching Agency and to give directions, make orders and decide questions relating to same.
- (d) To require applicants for employment as longshoremen to register in such manner as he may prescribe and to classify such applicants and determine their eligibility for employment; to prescribe what shall constitute an active longshoreman for hiring purposes; from time to time to prescribe the eligibility for employment of different classes of longshoremen; to determine the total number of longshoremen of all classes required from time to time for the efficient operation of the Port and to arrange for their recruitment and orderly employment through the Central Dispatching Agency.
- (e) When he deems it necessary, to require the Longshoremen's Association of Halifax to admit to temporary membership such classes

of men and in such numbers and for such periods as he may direct or order; provided that men so admitted to temporary membership shall have no right to be regarded as Union members beyond the period for which they were so admitted; and also provided that during such period such men shall have no share in or right to benefit from the funds of the Association.

- (f) To give directions and make orders as to when and under what circumstances ships shall be worked at night or upon holidays.
- (g) To appoint such Advisory Committees as he may deem desirable to advise him upon any general or special phases of loading operations.
- (h) To recommend to the Minister of Labour any major changes or improvements in ship loading methods and facilities which may seem expedient.
- (i) Subject to the approval of the Governor in Council, to appoint such other officers, clerks, and other assistants and acquire such office facilities as may be necessary to carry out the duties assigned to him.

4. In the exercise of his powers and authority under this Order the Controller shall not be restricted by the terms of any contract or agreement made between the shipping and stevedoring companies and the Halifax Longshoremen's Union other than as the same may relate to wage rates.

5. The Controller shall appoint a Personnel Committee composed of the Port Loading Superintendent, the Chief Dispatching Officer and representatives of the Shipping and Stevedoring Companies and of the Halifax Longshoremen's Union to divide the present active working personnel of the Port into gangs, and to allot bosses to such gangs; and from time to time as directed by the Controller to revise such division and allocations.

6. The Port Loading Superintendent shall inspect and supervise the loading operations of the Port as a whole, advise the Controller and other loading agencies upon technical loading problems, and generally perform such duties as the Controller may assign to him.

7. The Chief Dispatcher, under the supervision and control of the Controller, shall administer the Central Dispatching Agency and generally perform such duties as the Controller may assign to him.

8. The present practice popularly known as "have-a-look" is hereby abolished and longshoremen shall be called out only at regular calling hours (except in the case of emergency) and in all cases when men have reported for work upon proper call they shall be paid as from the regular hour of call.

9. Whenever a stevedoring or shipping company is loading a number of ships simultaneously it shall have the loading operations of the same under the general supervision of an experienced man of the rank of Assistant Marine Superintendent so far as practicable, in the ratio of one for every three ships.

10. All longshoremen who have heretofore been admitted to temporary membership in the Halifax Longshoremen's Union under Order in Council P.C. 744 of 13th January, 1941, and all longshoremen who may hereafter be admitted to temporary membership in the Union pursuant to the direction or order of the Controller, shall enjoy complete equality with permanent members of the Union as to hiring and working privileges.

11. The Controller may extend the period of the temporary membership in the Union now enjoyed by the longshoremen who have heretofore

been admitted into the Union pursuant to said Order in Council P.C. 744 provided the Controller deems this desirable as preliminary to the establishment of the central dispatching agency and the new method of hiring referred to in Section 12 of this Order.

12. The present system of daily hiring of individuals working at the site of the work is hereby abolished and there shall be substituted therefor a new system of hiring which, subject to such alterations as the Controller may deem expedient, shall embody the following principles.

- (a) A central dispatching agency shall be established and shall be administered by the Chief Dispatcher;
- (b) The present active working personnel of the Port shall be divided into fixed gangs with named gang bosses;
- (c) Longshoremen shall hereafter be hired in gangs and exclusively through the dispatching agency;
- (d) Companies desiring gangs shall notify the dispatching agency at certain fixed hours of the number of gangs required;
- (e) The dispatching agency shall keep a roster of gang bosses and shall be responsible for notifying the requisite number of gang bosses upon receipt of such notification from any company;
- (f) Upon receipt of such notice from the dispatching agency each gang boss shall be responsible for producing his gang at the required time and place; and the members of each gang when notified of work by their gang boss must appear for the work in question under penalty of loss of their dock permits, unless within three days of such failure to appear they give to the Chief Dispatcher a satisfactory explanation therefor.
- (g) The dispatching agency shall call out gangs by some system of rotation designed to ensure equality of work; provided that if the Controller considers it feasible the stevedoring companies shall each be given the privilege of calling for a certain number of specified gangs.
- (h) Gangs shall be required to work at night when called upon through their bosses by the dispatching agency to do so; but the dispatching agency shall adopt some system of rotation of day and night work designed to ensure the equitable distribution of day and night work so far as practicable.

13. The Controller and any person acting for or under his authority shall not be liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

14. All persons, companies, organizations, associations, or agencies directly or indirectly engaged or concerned in ship-loading operations in the Port shall in all matters act upon and in accordance with the directions, order and decisions given or made by the Controller under this Order.

15. It shall be the duty of the Controller to maintain a record of the suspension pursuant to this Order of any existing condition of work established by practice or agreement, and such condition shall be fully restored, if the employees so desire, on the termination of the present war.

16. Any person, company, organization, association or agency as aforesaid who, or which, contravenes or fails to comply with any provision of this Order or with any direction, order or decision given or made by the Controller under this Order shall be guilty of an offence and shall be liable on Summary Conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

17. The Controller, the Port Loading Superintendent, the Chief Dispatcher and such other officers, clerks and assistants as may be appointed hereunder shall receive such remuneration as the Governor in Council may fix.

18. Order in Council P.C. 1758 of 9th March, 1942, and Order in Council P.C. 744 of 13th January, 1941, are hereby revoked; and Order in Council P.C. 1706 of 10th March, 1941, so far as it refers to the appointment of an Arbitrator is hereby revoked.

19. This Order shall be effective on the first day of May, 1942, except Section 1 hereof which shall be effective as of April 13th, 1942, and Section 12 hereof which shall be effective upon written notice by the Controller to the Longshoremen's Association of Halifax and the Chairman of the Shipping Committee of the Halifax Board of Trade.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council authorizing a program of Job Instructor Training
for Canadian war industries**

P.C. 31/3546

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
30th April, 1942.*

The Board had under consideration a memorandum from the Honourable the Minister of Labour reporting:—

“1. That a serious need exists at the present time in Canadian industry for some form of training for supervisors.

2. That a plan of training for this purpose known as Job Instructor Training has been developed and is being introduced into industry throughout the United States by the Training-Within-Industry section of the Labour Division of the War Production Board.

3. That this plan of training has been made available to the Training Branch of the Department of Labour.

4. That assistance has been promised in the introduction of this plan through the loan of the services of an expert from the United States to train key men in Canada.

5. That said key men, to be known as Institute Conductors, will train men from Canadian industries as trainers for their own plants in Institutes to be set up in several industrial centres across Canada.

6. That said trainers will train men in their own plants as Job Instructors.

7. That the promotion of such a program will require certain expenditures including printing and supplies, salaries or per diem fee of certain Institute Conductors, rental of premises, travelling expenses and accountable advances for travelling.

The undersigned deems it expedient that a program of Job Instructor Training for Canadian war industries be carried on and, therefore, recommends that an amount of \$10,000 be allotted to the Department of Labour from the War Appropriations 1942-43, said amount to be made immediately available to the Department for the foregoing purposes.

Owing to the shortage of available persons suitable to act as Institute Conductors, any reasonable means at the disposal of the Department to secure the services of such persons as may be available must be used including securing services on loan either without charge or reimbursing the employer of such persons on the basis of their existing salaries or by payment of a per diem fee, the undersigned further recommends that the Deputy Minister of Labour be authorized to appoint Institute Conductors where necessary on any or all of the foregoing bases, the per diem fee not to exceed in any case \$12."

The Board concur in the above report and, having approved the estimate of expenditure and cash allotment, submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing remission or refund of sales tax or excise
taxes on certain contracts**

P.C. 42/3546

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
30th April, 1942.*

The Board had under consideration a report from the Honourable the Minister of Munitions and Supply, concurred in by the Honourable the Minister of National Revenue, stating:—

- (1) That the Department of Munitions and Supply, pursuant to an arrangement made with the Department of National Revenue, has followed the general practice of providing, in contracts or orders placed for the account of the Department of National Defence, that the prices therein specified include sales tax or, alternatively, that His Majesty will pay, as an addition to the specified price, any sales tax paid or payable by the contractor.
- (2) That in many cases, as a result of the practice above mentioned, sales and excise taxes have been levied and paid in respect of goods which have been exported.
- (3) That, owing to the provisions of the Special War Revenue Act, the Auditor General has questioned the authority of the Department of National Revenue to accept payment of sales tax and excise taxes on goods which are exported and also the authority of the Department of National Defence or other Department or body to pay sales tax or excise taxes on such goods, without the authorization or approval of the Governor in Council.

The Board, therefore, on the recommendation of the Honourable the Minister of Munitions and Supply, concurred in by the Honourable the Minister of National Revenue, have the honour to recommend that, under and by virtue of the War Measures Act, for the purposes of sales tax and excise tax levies, all contracts and orders entered into or placed by the Minister of Munitions and Supply for or on account of the Department of National Defence shall be presumed to be for goods for domestic consumption, provided, however,

- (1) that the Minister of National Revenue may, on application, refund or remit any sales tax or excise taxes paid or payable under or in respect

of any such contract or order if the Minister of Munitions and Supply or any duly authorized representative of the said Minister shall certify that in the case of such contract or order it was not agreed that such sales tax or excise taxes should be included in or paid by His Majesty as part of or in addition to the contract price; and

- (2) nothing herein contained shall affect any contract or order for goods in respect of which no sales tax or excise taxes are payable under the Special War Revenue Act or regulations thereunder otherwise than by reason only of the fact that such goods are exported or intended to be exported from Canada, or shall affect any contract or order for goods which are exempt from the payment of sales tax and excise taxes under authority of P.C. 1/8255 of October 24th, 1941, and/or by virtue of any certificate given thereunder.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council establishing regulations governing the appointment,
control, pay and allowances of V.A.D's**

P.C. 49/3546

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
30th April, 1942.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence reporting that:

- “(a) By Orders in Council P.C. 31/1936 dated 19th March, 1941, and P.C. 1/3550 dated 19th May, 1941, provision was made in the Home War Establishments of Military Hospitals for the employment, in place of Nursing Sisters in Canada, of Nursing Members of Voluntary Aid Detachments of the St. John Ambulance Association and the Canadian Red Cross Society, known as, and hereinbelow referred to as, V.A.D's.
- (b) It is desired to make provision for V.A.D's to be employed within and beyond Canada, wherever they may be needed, in the place of Nursing Sisters, and Regulations governing the appointment, status, control, pay and allowances of V.A.D's while so employed are therefore required.

2. To which end, the Adjutant-General recommends that the Regulations annexed hereto marked Appendix “A” be authorized.

3. Provision for the foregoing proposal has been made in the physical basis of the 1942-43 Annual Army Estimates. The estimated cost of this proposal amounts to \$125,929 for twelve months of the fiscal year 1942-43. Funds are available under the several Functions concerned in the relevant Primary Allotments.

4. The Acting Deputy Minister (Army) has examined and concurs in the financial aspects and implications of the aforesaid proposal.

5. The undersigned concurs in the foregoing and has the honour to recommend that Your Excellency in Council under and by virtue of the

War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, and notwithstanding the provision of any other law or Regulation be pleased to make the Regulations hereto annexed as Appendix 'A'."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council authorizing pay and allowances to medical students
enlisted in the Canadian Army**

P.C. 69/3546

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
30th April, 1942.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence reporting that:

"1. The requirements of the Canadian Medical Services for personnel suitable for appointment as Medical Officers are making heavy and unprecedented demands upon the available number of duly qualified medical practitioners in Canada.

2. Having regard to the number of qualified doctors who have already been withdrawn from civilian practice to meet the requirements of the Canadian Medical Services, and the number required to provide adequate medical facilities for the civilian population of Canada, it is considered that the time is rapidly approaching when the number of qualified medical practitioners will be insufficient to meet the requirements of the Canadian Medical Services.

3. Medical Faculties of certain Canadian Universities have lengthened the study period of the academic year and have correspondingly shortened the period during which many medical students relied upon earning necessary money to finance them through their courses, and such students now find it increasingly difficult in the decreased period between the academic years to earn sufficient funds to continue their medical studies.

4. Representations have from time to time been received for the establishment of some scheme to provide financial assistance to such medical students in order that they may continue their studies without interruption and be in a position to qualify professionally at the earliest possible moment and thus be available to meet the anticipated shortage of professionally qualified personnel for appointment to the Canadian Medical Services.

5. The Director General of Medical Services has also suggested the desirability of some plan to provide financial assistance to medical students in respect of the academic sessions they attend immediately prior to a period of internship whether undergone as a graduate or under-graduate and in respect of said period of internship in order that a sufficient number of professionally qualified medical personnel may become available for appointment as officers in the Medical Services of the Armed Forces of Canada.

6. The Adjutant-General has accordingly recommended that the suggestion of the Director General of Medical Services be adopted and that the men concerned be enlisted as soldiers in the Canadian Army and taken on the strength of appropriate active units thereof.

7. Provision will be made at time of enlistment to allow the man to express a preference as to whether, upon obtaining his licence to practice, he wishes to serve in the Canadian Navy, Army or Air Force. No assurance will be given at time of enlistment that the expressed preference for one service or the other will be fulfilled, but every effort will be made to comply, contingent upon the man's final professional qualifications, suitability and the existing requirements of the Armed Forces.

8. For appointment to the R.C.A.M.C. an officer must be in possession of a licence to practise issued by the Medical Council of Canada. The Adjutant-General therefore recommends that at any time during the two final years before becoming qualified for appointment to the R.C.A.M.C. a student attending a Medical Course at a University or Medical School duly recognized by the Minister, may be enlisted into the Armed Forces. During this period of enlistment he will receive the pay prescribed for a private soldier of the Canadian Army serving on active service and certain allowances more specifically set out hereunder.

9. Provision for the foregoing proposal has been made in the 1942-43 Annual Army Estimates. The cost is estimated at \$582,890 for twelve months of the fiscal year 1942-43. Funds are available in the relevant Primary Allotments under Function No. 17: 'N.D.H.Q. and District Services'.

The undersigned concurs in the foregoing recommendations and has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, and notwithstanding the provisions of any other Act, Law or Regulation, be pleased to order as follows:

1. Subject to the provisions of this Order there shall be granted to a man, who being a medical student at a University or Medical School duly approved by the Minister, in respect of the whole period in which is comprised the academic session or sessions which he attends immediately prior to his becoming an interne at a hospital which is recognized by the Minister, and the period of internship which he undergoes, whether as a graduate or undergraduate prior to obtaining a licence to practise, the said whole period not to exceed in any event twenty-four months, the following pay and allowances:

- (a) effective the day of commencement of the said academic session or sessions up to and including the day immediately prior to that upon which the period of internship commences, the pay and allowances, including subsistence allowance but not including dependents' allowance, prescribed for a soldier of the Canadian Army serving on active service;
- (b) effective the day on which the said period of internship commences and up to and including the day immediately prior to that on which he is granted a licence to practise, or appointed as an officer in the Canadian Forces, or until he is discharged from the Canadian Army as a soldier, the pay and allowances, including subsistence allowance when not in receipt of free board and lodging from the hospital in which he is serving internship, but not including dependents' allowance, etc., prescribed for a soldier of the Canadian Army serving on active service.

Provided always, however, that no such pay and allowances shall be issued unless and until the man concerned has enlisted in such active unit or formation of the Canadian Army as the Minister of National Defence shall from time to time prescribe, and in any event said pay and allowances shall not be issuable prior to the date of commencement of the aforesaid academic session.

2. The conditions governing the issue of such pay and allowances, including eligibility therefor, and the cessation thereof, shall be as from time to time laid down by the Minister of National Defence."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council recommending that securities under the direction and control of the British Government not subject to succession duties in Canada if deceased owner domiciled outside of Canada at his death

P.C. 89/3546

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 30th April, 1942.

The Board recommend that, under the provisions of the War Measures Act, securities lodged in Canada for safe-keeping under the direction and control of the British Government for war purposes shall not be subject to succession duties in Canada in circumstances where the deceased owner was domiciled outside of Canada at his death, and where the successors to his property are not liable to duty under the Dominion Succession Duty Act by reference to considerations other than the actual physical situs of the said securities in Canada at the death of the owner.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council suspending provisos in certain Tariff Items re manufacture of motor vehicles

P.C. 94/3546

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 30th April, 1942.

The Board had under consideration a report from the Honourable the Minister of National Revenue stating:

- (1) That, since the beginning of the war, the normal peace-time production in plants operated by automobile manufacturers and automobile parts

manufacturers has been considerably dislocated owing to the carrying out of contracts for war vehicles and other munitions of war, with the result that such manufacturers have been forced to import very substantial quantities of parts and materials which prior to the war were obtainable from Canadian sources, which condition has become increasingly serious during the past year.

- (2) That, by order of the Motor Vehicles Controller, Department of Munitions and Supply, the Canadian automotive industry is now completely under Government control, and no good purpose is therefore served by continuing the British Empire content requirements of the provisos in Tariff Items 438c and 438d and the regulations prescribed thereunder by Order in Council.

The Board, therefore, on a recommendation by the Honourable the Minister of National Revenue has the honour to recommend that, under authority of section 3 of the War Measures Act, it be ordered that the British Empire content requirements of the provisos in Tariff Items 438c and 438d and in the regulations prescribed thereunder by Orders in Council (P.C. 64/1675) dated July 10, 1936, and (P.C. 81/1322) dated June 4, 1937, be suspended in respect of the manufacture of:

- (a) motor vehicles for war purposes under contract with the Minister of Munitions and Supply; and
- (b) motor vehicles for essential private, public and commercial services under permit issued by the Motor Vehicles Controller, Department of Munitions and Supply.

The Board further recommend that this suspension be made effective in respect of production of the said motor vehicles as from April 1, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council approving regulations under the Pension Act—
additional pensions**

P.C. 103/3546

Certified to a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 30th April, 1942.

The Board had under consideration the following memorandum from the Honourable the Minister of Pensions and National Health:

“The undersigned has the honour to report that Sections 45, 46 and 46A of the Pension Act provide as follows:—

“45. When a person of the rank of Warrant Officer, or of a higher rank who was domiciled in Canada at the commencement of the Great War has been awarded a smaller pension than he would have been entitled to under this Act for a disability incurred during the Great War in any of His Majesty's naval, military or air forces other than the naval, military or air forces of Canada, he shall, on resuming his residence in Canada and during the continuance of such residence, be entitled to such additional pension as will make the total of the two

pensions received by him equal to the pension he would have been awarded in respect to such disability had he been serving in the military service of Canada."

"46. When a person of the rank of Warrant Officer, or of a higher rank in any of His Majesty's naval, military or air forces other than the naval, military or air forces of Canada, or when a person in the naval, military or air forces of one of His Majesty's Allies who was domiciled in Canada at the commencement of the Great War has died during the Great War or thereafter as the result of a disability incurred during the Great War or demobilization and his widowed mother, mother whose husband is both physically helpless and in a dependent condition, widow or children, have been awarded a smaller pension than they would have been entitled to under this Act in respect of his death, such widowed mother, mother whose husband is both physically helpless and in a dependent condition, widow or children shall be entitled during the continuance of their residence in Canada to such additional pension as will make the total of the two pensions received by them equal to the pension they would have been awarded if the person aforesaid had died in the military service of Canada."

"46A. The benefits of this Act, in so far only as the same or equivalent benefits are not provided under the laws or regulations of the United Kingdom of Great Britain and Northern Ireland, shall be conferred upon all persons domiciled in Canada at any time during the four years next preceding the date of commencement of the war with the German Reich, who, subsequent to the first day of September, one thousand nine hundred and thirty-nine, have served in the naval, military or air forces of the said United Kingdom, and who, while so serving during the said war have suffered disability or death in respect of which a gratuity or pension has been awarded under the laws or regulations of the said United Kingdom, and the widows, children and other dependents of such persons shall be entitled to the benefits of this Act in so far as the same or equivalent benefits are not provided in respect of them under the laws or regulations of the said United Kingdom; provided that payments may be made under the provisions of this section only to such persons as are residents of Canada and during the continuance of their residence therein."

That owing to the existence of the present state of hostilities payments of disability pensions, by belligerent governments to persons domiciled in Canada and coming within the scope of the above quoted sections, has become impossible.

That in accordance with the interpretation placed upon these sections, unless such persons are in receipt of payment of disability pensions from the several governments concerned, no additional pension may be paid thereunder.

That in the opinion of the undersigned, provision should be made enabling the Canadian Pension Commission, if satisfied of the bona fides and loyalty of the persons concerned, to pay to such persons the additional pension to which they would have been entitled under the aforementioned sections if payment of their pensions had not ceased by reason of the existence of a state of hostilities.

To that end, the undersigned has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding anything to the contrary contained in the Pension Act or in any other Act or regulation, be pleased to approve the following regulations:—

REGULATIONS

1. Where any person has been awarded a pension within the meaning of Sections 45, 46 or 46A of the Pension Act and if such person is, by reason of the existence of a state of hostilities, during the war with the German Reich, not in receipt of the payment of such pension, the Canadian Pension Commission may, in its discretion, pay such additional pension as it might otherwise have paid if such person had been actually in receipt of the pension so awarded.

2. All expenditures made under these regulations shall be paid out of moneys provided by the War Appropriation Act.

3. These regulations shall be deemed to have come into force and effect as, of, and from the 1st day of September, 1939.

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing scale of pensions for personnel of ships of Canadian Registry or of Certified non-Canadian Ships

P.C. 104/3546

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 30th April, 1942.

The Board had under consideration the following memorandum from the Honourable the Minister of Pensions and National Health:

"The undersigned, with the concurrence of the Minister of Transport, has the honour to report:

That under Order in Council P.C. 10/4209, dated 12th of June, 1941, as amended by clause 3 of Order in Council P.C. 87/5204, dated 16th of July, 1941, provision was made for the payment of pensions to such persons employed in ships of Canadian registry or licence and to such persons of Canadian nationality employed on certified non-Canadian ships and to such Canadian salt-water fishermen as in the pursuit of their callings, suffer disability or death as the result of enemy war-like action or counter-action taken against the same.

That representations have now been made by responsible authorities that the said regulations should be amended as follows:—

- (a) to provide protection for all mariners coming within the scope of the said Order in Council who suffer disability or death in the manner prescribed therein, although not actually serving at such time on ships in such categories as are therein set forth,
- (b) to provide protection for all mariners coming within the scope of the said Order in Council who suffer disability or death by reason of extraordinary marine risks consequent upon there existing a state of hostilities and the ship or ships upon which they are serving being engaged in essential work therein.

- (c) to provide for some simple manner of presumption of death in cases in which no positive evidence is available concerning either the loss of a ship or the loss of the lives of the mariners serving thereon.

The undersigned is of the opinion that such amendments are necessary and in the public interest and has therefore, with the concurrence aforesaid, the honour to recommend that Your Excellency in Council under and by virtue of the War Measures Act (Chapter 206, R.S.C., 1927), and, notwithstanding anything to the contrary contained in the Pension Act or in any other Act or Regulation, be pleased to approve the rescission of Order in Council P.C. 10/4209, dated 12th June, 1941, and the rescission of Clause 3 of Order in Council P.C. 87/5204, dated 16th July, 1941, and the substitution of the following therefor:—

REGULATIONS

1. For the purposes of these regulations, the following expressions shall, unless a contrary intention appears, have the meanings stated below:—

- (a) "war with the German Reich" has the same meaning as in the Pension Act (Chapter 157, R.S.C. 1927, as amended);
- (b) "ship" includes every description of vessel used in navigation not propelled by oars;
- (c) "ship in foreign trade" means a ship employed on foreign voyages within the meaning of the Canada Shipping Act, 1934;
- (d) "ship in home trade" means a ship engaged in home trade voyages within the meaning of the Canada Shipping Act, 1934;
- (e) "ship trading in inland or minor waters" means a ship employed on an inland voyage or a minor waters voyage within the meaning of the Canada Shipping Act, 1934;
- (f) "Canadian salt-water fisherman" means a British subject employed upon a fishing vessel or boat engaged in the fishing industry of Canada in tidal waters;
- (g) "certified non-Canadian ship" means a ship not of Canadian registry or licence which the Transport Controller certifies was engaged in essential war work on behalf of the British Commonwealth or its allies at the time when the voyage in question commenced;
- (h) "enemy war-like action or counter-action taken against the same" shall include extraordinary marine hazards consequent upon hostilities occasioned by a ship or ships of Canadian registry or licence or by a certified non-Canadian ship or ships being at the time employed, to the satisfaction of the Canadian Pension Commission, in essential war work.

2. (a) Subject to the provisions of these regulations pensions shall be awarded in accordance with the rates set forth in Schedules A and B of the Pension Act for members of the Naval Forces of Canada,
- (i) to or in respect of all persons who, while serving upon any ship of Canadian registry or licence, and
 - (ii) to or in respect of all persons of Canadian nationality who, while serving upon any certified non-Canadian ship, and
 - (iii) to or in respect of all Canadian salt-water fishermen who, while serving upon any ship engaged in the Canadian salt-water fishing industry, during the war with the German

Reich, suffer disability or death as a direct result of enemy war-like action or of counter-action taken against the same. That the definition of Canadian nationality for this purpose shall be that as defined by Chapter 21 of the Revised Statutes of Canada 1927.

- (b) For the purpose of this regulation a disability or death shall be deemed to have been sustained during service upon any ship of Canadian registry or licence or upon any certified non-Canadian ship if it is sustained by the person in question,
- (i) while he is proceeding by sea or by land or by air outside of Canada to a ship of Canadian registry or licence or to a certified non-Canadian ship for the purpose of being in the service thereof, or
 - (ii) while he is returning by sea or by land or by air outside of Canada to Canada or to the country to which he belonged, from a ship of Canadian registry or licence or from a certified non-Canadian ship after being in the service thereof, or
 - (iii) while he is outside of Canada on leave from a ship of Canadian registry or licence or from a certified non-Canadian ship which, for the time being, is in a port outside of Canada.

3. The rate of pension payable to or in respect of a person or fisherman in the regulation next preceding mentioned shall be the rate set forth in Schedule A or B as the case may be of the Pension Act applicable to the rank or rating of the Naval Forces of Canada set opposite the rank or qualification of such person or fisherman in the following table.

(1) *Pensions for Personnel of Ships of Canadian Registry or Licence or of Certified non-Canadian Ships*

Rank	Scale of Pension
(a) Ship in Foreign Trade†	
(i) Master	Commander
(ii) Chief Officer	Lieutenant-Commander
(iii) Chief Engineer	Commander
(iv) Second Engineer	Lieutenant-Commander
(v) Other Navigating and Engineer Officers Purser Surgeon Chief Steward Wireless Officer of 10 years or more seniority	} .. Lieutenant
(vi) All other officers	
(b) Ship in Home Trade†	
(i) Master	Lieutenant
(ii) All other officers	Sub-Lieutenant
(c) Ship in Inland and Minor Waters Trade†	
(i) Master	Lieutenant
(ii) All other officers	Sub-Lieutenant

† The provisions of the Canada Shipping Act, 1934, and Regulations made thereunder, will determine the class of vessel, and nature of the trade in which the vessel is engaged and the status of the members of the crew.

(d) All trades

- (i) All other members of the crew (except Orientals and coloured seamen not domiciled in Canada within the meaning of the Immigration Act)....Able Seaman

- (ii) Orientals not domiciled in Canada within the meaning of the Immigration ActA proportion of pension applicable to an able seaman as judged adequate by the Canadian Pensions Commission, or a lump sum which in the opinion of the Canadian Pension Commission is the equivalent thereof.

- (iii) Coloured seamen not domiciled in Canada within the meaning of the Immigration ActA proportion of pension applicable to an able seaman as judged adequate by the Canadian Pension Commission.

(e) Pilots

- (i) Licensed PilotsLieutenant
- (ii) Licensed Apprentice PilotsSub-Lieutenant

(2) Pensions for Canadian Salt-Water Fishermen

- (a) Master of fishing boats of 60 registered tons or over.....Lieutenant
- (b) Master of other fishing boats..Sub-Lieutenant
- (c) Other members of the crew....Able Seaman

4. The provisions of the Pensions Act, Chapter 157 of the Revised Statutes of Canada, 1927, as amended, governing pensions to dependents shall apply to persons claiming under these regulations.

5. No person shall be payable under these regulations unless application is made therefor within one year after the occurrence of the death or incurment of the injury resulting in disability on account of which pension is claimed.

6. A claim by any person in respect of a disability or death for which pension is payable under these regulations caused under circumstances by reason of which claim for compensation may be made under any provincial Workmen's Compensation Act or legislation of a similar character, supported by evidence satisfactory to the Canadian Pension Commission to the effect that the claimant has not theretofore made any claim under such Workmen's Compensation Act or other similar legislation, shall be dealt with and adjudicated upon by the Commission and, if pension be awarded, the same shall be payable upon receipt by the Commission of waiver in form approved by it of all claims the claimant might have under the provincial legislation arising from such disability or death.

7. For the purpose of these regulations, the Commission may presume death in every case in which the evidence available as to the circumstances surrounding the disappearance of the individual in question or loss of the ship upon which he was serving raises no reasonable doubt in the opinion of the Commission that his death has in fact occurred.

8. (a) All claims for pension under these regulations shall be dealt with and adjudicated upon by the Canadian Pension Commission in like manner and to all intents and purposes as though such claims were claims under the Pension Act and the person or fisherman by or in respect of whom application for pension is made was, at the time the injury resulting in his disability or death was sustained, a member of the forces as defined by such Act and all provisions of the Pension Act which are not inconsistent with these regulations shall apply to every such claim.

(b) Notwithstanding any other part of these regulations, the Canadian Pension Commission shall, when dealing with the case of a person of Canadian nationality who served on a certified non-Canadian ship, subtract from the pension payable under Regulation 3 the amount of pension payable to the claimant under the laws of the country in which the ship was registered or licensed.

9. All payments required to be made under these regulations shall be made from the War Appropriation vote of Parliament."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council granting priority to certain traffic on civil aircraft in Canada

Canada Gazette (Extra), May 16, 1942

P.C. 3556

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 30th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Section 3 (d) of the War Measures Act, Chapter 206, Revised Statute of Canada, 1927, provides that the Governor in Council may make such orders and regulations as he may, by reason of the existence of real or apprehended war, deem necessary or advisable for the security, defence, peace, order and welfare of Canada in matters of transportation by land, air or water, and the control of the transport of persons and things;

And Whereas the Minister of Munitions and Supply reports that with respect to civil air transport it is essential to the national defence and security that

certain traffic shall have preference or priority in transportation, and it is deemed expedient to authorize the Minister of Munitions and Supply or his duly authorized representative to direct that such preference or priority be afforded;

Now, Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the authority of the War Measures Act, and notwithstanding the provisions of The Transport Act, 1938, or any other law, is pleased to grant and doth hereby grant authority to the Minister of Munitions and Supply and to his representative specially authorized by the said Minister for that purpose to direct any person or corporation operating civil aircraft in Canada for the transport of goods or passengers to afford preference or priority over all other traffic for the transport of any persons or goods specified in the direction given by the said Minister or his representative, and air carriers shall adopt every means within their control to facilitate and expedite the transport of such persons and goods notwithstanding that all space in the aircraft concerned may have been sold and that the carrier may be required to remove from such aircraft passengers or goods in order to make space available for the transport of passengers or goods directed to be carried in priority to other traffic.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending the Defence of Canada Regulations—persons in or upon premises used for producing explosives, etc.

Canada Gazette (Extra), May 15, 1942

P.C. 3561

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 30th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Mines and Resources reports that the lives of employees and the premises in Canada used for producing, treating, handling or keeping explosives, pyrotechnics for the armed forces and small arms ammunition or for the filling of bombs, shells, mines, torpedoes, depth charges or for the manufacture of primers, detonators or time fuzes or other similar munitions of war are being jeopardized by the practice of individuals having in their possession matches and other fire producing devices and of smoking in the said premises;

That the penalties that have hitherto been imposed under the Explosives Act, Chapter 62, Revised Statutes of Canada, 1927, for being in possession of matches or other fire producing devices or for smoking in or on the said premises have proved to be inadequate to prevent the continuance of these practices;

Now, Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources and under the authority

of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941 and they are hereby amended as follows:—

1. By renumbering the present numbered section 38A of the said Regulations 38B.

2. By adding to the said Regulations the following as section 38A:

“38A. Every person who has in his possession a match or other fire producing device in or upon any premises in Canada used for producing, treating, handling or keeping explosives, pyrotechnics for the armed forces or small arms ammunition, or used for the filling of bombs, shells, mines, torpedoes, depth charges, or used for the manufacture of primers, detonators or time fuzes or other similar munitions of war, shall be guilty of an offence and liable on summary conviction to a fine of not less than fifty and not more than one hundred dollars, and in default of payment of the fine imposed to imprisonment for a term not exceeding one month.

(2) Every person who smokes in or upon any of the premises mentioned in paragraph one of this regulation shall be guilty of an offence and liable upon summary conviction to imprisonment for a term of not less than three months and not exceeding twelve months.

(3) Any person authorized by the proprietor or manager of any premises mentioned in this regulation is hereby authorized to search without warrant any person entering or seeking to enter or being in or upon any premises to which this regulation applies.

(4) No woman shall be searched pursuant to this Regulation except by a woman.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council amending regulations respecting the speed of
motor vehicles**

Canada Gazette (Extra), May 15, 1942

P.C. 3590

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 30th day of April, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2800 of the tenth day of April, 1942, regulations were made respecting the speed of motor vehicles;

And whereas the Minister of Munitions and Supply reports that as a result of representations made by the Attorney General of Ontario it is deemed expedient to amend such Regulations;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the

authority of and pursuant to the powers conferred on the Governor in Council by the Department of Munitions and Supply Act and by the War Measures Act, is pleased to amend the Regulations respecting the speed of motor vehicles, established by Order in Council P.C. 2800, of April 10th, 1942, and they are hereby amended as follows:—

1. By adding the following paragraphs to Regulation 4 thereof:
 - (3) Where any person is convicted of an offence against these Regulations, the justice shall forthwith forward particulars of the conviction to the Registrar of Motor Vehicles for the province in which the permit or licence of the person convicted was issued.
 - (4) Where in any province an endorsement of a conviction is required to be made on the permit or licence of a person convicted under the provisions of any provincial law, the justice shall, where any person is convicted of an offence against these Regulations, cause particulars of the conviction to be endorsed upon the permit or licence of the person convicted. Any such endorsement signed by the convicting justice shall be prima facie evidence of such conviction.
 - (5) Where in any province a permit or licence to drive a motor vehicle may be suspended or revoked by any person or persons for violation of any laws of such province relating to motor vehicles, such person or persons may suspend or revoke the permit or licence, issued by such province, of a person convicted of an offence against these Regulations.
 - (6) Where a permit or licence to drive a motor vehicle has been suspended pursuant to paragraph (5) of this Regulation and where the offence for which the holder of such permit or licence was convicted occasioned any injury to any person or damage to any property, renewal of such permit or licence may be refused until the holder thereof has given to the Registrar of Motor Vehicles for the province wherein such permit or licence was issued, proof of his financial responsibility in a manner satisfactory to such Registrar of Motor Vehicles; provided that the provisions of this paragraph shall not apply in a province where under the laws of such province a person violating any law relating to the speed of motor vehicles is not required to give proof of financial responsibility.
2. By revoking Regulation 5 thereof;
3. By inserting the following Regulations after Regulation 4 thereof:
 5. (1) Every summons issued for a violation of the provisions of these Regulations may be served by sending it within ten days of the alleged violation by prepaid post to the person summoned.
 - (2) Every such summons may be sent to the person summoned at his last or most usual place of abode or where such person is a holder of a licence or permit issued by a province, the summons may be sent to him at the address registered with the Registrar of Motor Vehicles for such province.
 - (3) A summons served under paragraph (1) of this Regulation shall,
 - (a) have endorsed upon its face in bold-face type a notice that if the person summoned does not appear in person or by his counsel or other representative at the time and place indicated in the summons, the summons will be served by personal service or by leaving it at his place of abode, or in the case of the

holder of a licence or permit issued by a province at the address registered with the Registrar of Motor Vehicles for such province, with some inmate thereof apparently not under the age of sixteen years and that in the event of a conviction, the person summoned may be required to pay the cost of such service; and

(b) be deemed not to have been served unless the person summoned appears in person or by his counsel or other representative at the time and place named in the summons for appearance.

(4) Where a summons is deemed not to have been served another summons shall be issued and shall be served within ten days of the date upon which the person is required to appear by the original summons, by personal service or by leaving it for the person summoned at his last or most usual place of abode, or in the case of the holder of a licence or permit issued by a province, at the address registered with the Registrar of Motor Vehicles for such province, with some inmate thereof apparently not under the age of sixteen years.

(5) The time for issuing and serving a summons under paragraphs (1) and (2) may be extended by a justice on sufficient evidence being adduced to show that by reason of the default or unlawful act of the person to be summoned, a summons could not be issued and served within the prescribed time.

(6) The time for serving a summons under paragraph (4) may be extended by a justice on sufficient evidence being adduced to show that the person summoned could not be served within the prescribed time.

(7) The sending of a summons by prepaid post may be proved by the affidavit of the person who posted the summons which shall state,—

(a) the place, date and time of posting;

(b) the name of the person and the address to which the summons was sent; and

(c) that such address is,—

(i) to the best of the knowledge and belief of the deponent, the last or most usual place of abode of the person summoned; or

(ii) if the person summoned is the holder of a licence or permit issued by a province, the address registered with the Registrar of Motor Vehicles for such province according to information received from such Registrar,

and every such affidavit shall be prima facie evidence of the facts stated therein.

6. Every fine imposed by these Regulations shall be paid over to the treasurer of the province in which the offence was committed, to be appropriated in such manner as the Lieutenant-Governor in Council may direct; provided that all fines imposed in any proceeding instituted at the instance of the Government of Canada or of any department thereof, in which that Government bears the cost of prosecution, shall belong to His Majesty for the public uses of Canada and shall be paid over to the Minister of Finance and form part of the Consolidated Revenue Fund in Canada.

7. These Regulations shall come into force on the first day of May, 1942; provided, however, that the provisions thereof shall not apply in any province in which it is an offence under the laws of such province for a person to drive a motor vehicle on a highway at a rate of speed greater than forty miles per hour; provided further that nothing herein contained shall relieve any person from liability under any provincial law or any by-law of a municipal or other local authority making it an offence to drive a motor vehicle on a highway at a rate of speed in excess of a rate less than forty miles per hour.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council changing designation Controller of Ship Repairs to
Controller of Ship Repairs and Salvage**

Canada Gazette (Extra), May 28, 1942

P.C. 3599

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 1st day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2510 dated 17th April, 1941 (which rescinded Orders in Council P.C. 6797 dated 27th November, 1940, and P.C. 2047 dated 24th March, 1941), a Controller of Ship Repairs and a Deputy Controller of Ship Repairs were appointed and regulations respecting ship repairs were made and established;

And Whereas the Minister of Munitions and Supply reports that increasing difficulties are being experienced in connection with the salvaging of ships and their cargoes which have been disabled or damaged as a result of war hazards or from other causes;

That having regard to the necessity of ensuring that ships so disabled or damaged shall be restored to service as speedily as possible, it is considered desirable that the powers of the Controller and Deputy Controller of Ship Repairs, and the regulations respecting ship repairs as set forth in said Order in Council P.C. 2510, should be amended and enlarged as hereinafter provided;

Now, Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, concurred in by the Minister of National Defence for Naval Services and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act and the Department of Munitions and Supply Act, as amended, is pleased to order and doth hereby order:—

1. That the title and designation of the Controller of Ship Repairs be and it is hereby changed to that of "Controller of Ship Repairs and Salvage" and that the title and designation of the Deputy Controller of Ship Repairs be and it is hereby changed to that of "Deputy Controller of Ship Repairs and Salvage";

2. That the powers and authorities of the said Controller of Ship Repairs and Salvage be and they are hereby enlarged and extended to include and cover the control and direction (in such manner and to such extent as the said Controller may from time to time deem necessary) of the salvaging of ships and their cargoes and of all operations relating thereto or connected therewith, and all works, tools, articles and things used or usable for or in connection with or as incidental to salvage operations and of all persons engaged in or carrying on any such operations;

3. That any and all references in said Order in Council P.C. 2510 to ship repairs and/or the repairing or equipping of ships shall be deemed to include and cover salvage and salvage operations;

4. That the said Order in Council P.C. 2510 be and it is hereby amended by inserting, immediately following paragraph (f) of Clause (1) of the regulations forming part of the said Order, the following paragraph:

(ff) "Salvage" and "salvaging" shall mean and include the recovery, preservation, rebuilding and refitting of any ship which is wrecked, grounded, sunk, sinking or disabled as a result of war hazards or other causes, and/or of the cargo of any such ship, and all operations related or incidental hereto.

5. That the term "works" as used herein and in Order in Council P.C. 2510 shall be deemed to include vessels, plant, machinery, equipment, tools and facilities used or usable for or as incidental to the salvaging of ships, and, where the context permits, shall also be deemed to include any ship which is wrecked, grounded, sunk, sinking or disabled;

6. That the foregoing provisions shall be read with and shall be deemed to form part of Order in Council P.C. 2510 which shall be deemed to be amended to the full extent necessary to give effect to the provisions contained herein.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing plan for the operation of all Shipyards in the Province of British Columbia for the duration of the present war.

P.C. 3636

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 1st day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour has proposed to the managements and the unions of employees in the shipyards of British Columbia the following plan for the continuous operation of such shipyards:

"The work will be done in three shifts, arranged as follows:

Shift	Daily Hours worked	Time Off for meals	Time worked per week	Time paid for
First.....	8 hours	30 min.	48 hrs.	50 hrs.
Second.....	7 hours, 40 min.	20 min.	46 hrs.	54 hrs.
Third.....	7 hours, 10 min.	20 min.	43 hrs.	54 hrs.

Each man will work six shifts per week, having one day's rest in seven."

And whereas the said Minister reports that the plan has been agreed upon by all of the managements and nine of the eleven unions concerned;

That two unions with some seven hundred members among the approximately 15,000 employees in the aforesaid shipyards declined to accept the plan despite appeals from him and from the other nine unions of employees in the aforesaid shipyards; and

That it is essential, because of the urgent need of greater production of ships, that the plan should be put into operation without further delay;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under authority of the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order and doth hereby order and direct that on and from the first day of May, 1942, the conditions set forth above shall apply to the operations of all shipyards in the Province of British Columbia for the duration of the present war.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing the Minister of Transport to make regulations prescribing additional life saving, fire extinguishing and other equipment on ships of Canadian Registry

P.C. 3638

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 4th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Section 405 of the Canada Shipping Act, 1934, provides, *inter alia*, for the making by the Governor in Council of regulations respecting life saving and fire extinguishing equipment to be carried in ships and respecting precautions to be taken against fire;

And whereas Regulations respecting Life Saving Appliances have been made by Order in Council, P.C. 3 of the 6th day of January, 1937, and Regulations respecting Fire Extinguishing Equipment have been made by Order in Council, P.C. 203 of the 2nd day of February, 1937;

And whereas the said regulations were made for peace-time purposes and are not considered sufficient in war time for certain classes of ships operating in danger zones;

And whereas the British Ministry of War Transport has made additional rules respecting life saving and fire extinguishing equipment, requiring the provision of additional life saving and other equipment in ships of United Kingdom registry, such as equipment designed to provide increased protection for occupants of lifeboats and rafts at sea, gas masks for persons on ships, suits of protective clothing, special means of escape in emergencies, means of attracting attention of aircraft and rescue ships, and other safety equipment considered necessary to meet the conditions arising from enemy attacks on ships and seamen;

And whereas it is deemed advisable to require ships of Canadian registry operating in danger zones to be equipped, so far as may be practicable and reasonable, with life saving and fire extinguishing equipment to the same extent as United Kingdom ships;

And whereas, in order to put into force from time to time such safety measures as the exigencies of war may necessitate, it is deemed expedient to authorize the Minister of Transport to make regulations requiring such additional equipment to be carried and safety measures to be taken on ships of Canadian registry as he may consider necessary or advisable.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Transport, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding the provisions of the Canada Shipping Act, 1934, is pleased to authorize and doth hereby authorize the Minister of Transport to make regulations from time to time prescribing the additional life saving, fire extinguishing and other equipment to be carried on ships of Canadian registry operating in danger zones, and the war-time safety measures to be taken in respect of such ships.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council authorizing pay and allowances to dental students
enlisted in the Canadian Army**

P.C. 45/3723

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
4th May, 1942.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence reporting that:—

“1. The requirements of the Canadian Dental Corps for personnel suitable for appointment as dental officers are making heavy and unprecedented demands upon the available number of duly qualified dental practitioners in Canada.

2. Having regard to the number of qualified dentists who have already been withdrawn from civilian practice to meet the requirements of the Canadian Dental Corps, and the number required to provide adequate dental facilities for the civilian population of Canada, it is considered that the time is rapidly approaching when the number of qualified dental practitioners will be insufficient to meet the requirements of the Canadian Dental Corps.

3. Dental Faculties of all Canadian universities have lengthened the study period of the academic year and have correspondingly shortened the period during which many dental students relied upon earning necessary money to finance them through their courses, and such students now find it increasingly difficult in the decreased period between the academic years to earn sufficient funds to continue their dental studies.

4. Representations have from time to time been received from various public bodies such as Universities and Dental Societies for the establishment of some scheme to provide financial assistance to such dental students

in order that they may continue their studies without interruption and be in a position to qualify professionally at the earliest possible moment and thus be available to meet the anticipated shortage of professionally qualified personnel for appointment to the Canadian Dental Corps.

5. The Director of Dental Services has also suggested the desirability of some plan to provide financial assistance to dental students in their two academic sessions of study immediately prior to graduation in order that a sufficient number of professionally qualified dentists may become available for appointment as officers in the Canadian Dental Corps.

6. The Adjutant-General has accordingly recommended that, in order to provide financial assistance to dental students in their two final academic sessions as aforesaid, such students be enlisted as soldiers in the Canadian Army and taken on the strength of appropriate units thereof.

7. Provision for this proposal has been made in the 1942-43 Annual Army Estimates. The estimated cost amounts to \$57,564 for 12 months of 1942-43. Funds are available in the several relevant allotments under Function No. 17: 'N.D.H.Q. and District Services'.

The undersigned concurs in the foregoing recommendations and has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act, Law or Regulation, be pleased to order as follows:—

1. Subject to the provisions of this Order there shall be granted to a man who being a dental student at a university or dental school duly approved by the Minister, in respect of not more than the two academic sessions attended by him immediately prior to graduation and in any event for not more than a total of sixteen months in respect of said sessions, the following pay and allowances:—

effective the day of commencement of the first said academic session attended by the man after the coming into force of this Order up to and including the day immediately prior to that on which he is appointed as an officer in the Canadian Forces or until he is discharged from the Canadian Army as a soldier, the pay and allowances, including subsistence allowance but not dependents' allowance, prescribed for a private soldier of the Canadian Army serving on active service.

Provided always, however, that no such pay and allowances shall be issued unless and until the man concerned has enlisted in such active unit or formation of the Canadian Army as the Minister of National Defence shall from time to time prescribe, or in respect of any period prior to date of said enlistment, and in any event said pay and allowances shall not be issuable prior to the date of commencement of the aforesaid first academic session.

2. The conditions governing the issue of such pay and allowances, including eligibility therefor, and the cessation thereof, shall be as from time to time laid down by the Minister of National Defence."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing special regulations concerning drawbacks
for Alaska Highway

P.C. 84/3723

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
4th May, 1942*

The Board recommend that, under Section 3 of the War Measures Act, the following regulations governing drawback on imported goods to be used in the construction of the Alaska Highway be established, effective on and from April 1, 1942:

SPECIAL REGULATIONS CONCERNING DRAWBACK FOR
ALASKA HIGHWAY

When imported materials or goods on which duties and/or taxes have been paid are to be used for the purpose specified, there may, subject to the following conditions, be allowed a drawback of one hundred (100) per centum of the duties and/or taxes on the goods so delivered;

- (1) The whole of the drawback shall be paid to the importer, the manufacturer or producer, or supplier of such goods;
- (2) The quantities of goods delivered and the amount of duties and/or taxes paid thereon shall be ascertained;
- (3) Claims for drawback submitted on and after the 1st day of April, 1942, shall be filed with the Collector of Customs and Excise and complete documentary evidence attached thereto and shall not be paid unless the duties and/or taxes involved have been paid on the goods within three years of the date of filing the claim, nor unless the claims as presented at any one time aggregate ten dollars or over;
- (4) Claims for drawback shall be made under oath before a Collector, Justice of the Peace or Commissioner for taking Oaths, in such form as the Minister of National Revenue shall prescribe and shall, before payment, be verified to the satisfaction of the Minister, who may require, in any case, the production of such further evidence, in addition to the usual averments, as he deems necessary to establish the bona fides of the claim;
- (5) The following documents shall be delivered with the claim for drawback, viz:—

(a) A copy of the import entry showing the payment of the duties and/or taxes on the materials or goods in respect of which drawback is claimed. If a copy of the import entry, however, has been furnished with a previous claim for drawback, it will be sufficient to "refer" to such copy and indicate the claim to which it was attached, without furnishing a further copy of the entry;

(b) A certificate of importation, sale or transfer, in form prescribed by the Minister, when the claimant entitled to drawback is not the importer of the goods;

(c) A certified true copy of the order for the goods as delivered;

(d) An official receipt covering delivery of the goods.

INSTRUCTIONS

Claim Forms Nos. K.38 (Claimant's Oath and statement of claim, modified where necessary) and K.32A, as approved by the Minister may be obtained in quantity required from the nearest Collector.

Detailed information may be obtained at District Drawback Offices located at Halifax, N.S., Saint John, N.B., Montreal, P.Q., Ottawa, Oshawa, Toronto, Hamilton, London and Windsor, Ont., Winnipeg, Man., and Vancouver, B.C.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing settlement of damage claims re fishing vessels
sunk or damaged during impoundment

P.C. 3737

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 5th May, 1942

The Committee of the Privy Council have had before them a report, dated 2nd May, 1942, from the Minister of Fisheries, stating:—

That the Committee, under the chairmanship of the Honourable Justice Sidney A. Smith, appointed under the authority of the War Measures Act to supervise the disposition of impounded fishing vessels and equipment owned by persons of Japanese racial origin in British Columbia, was authorized, inter alia,—

To report on claims which may be made on the Government for damage to, or deterioration of, the vessels and equipment while under detention;

That the Committee has reported that in the process of immobilizing the vessels, and while such were under impoundment, certain hull damage and equipment losses occurred incidental to the large-scale impounding action under emergent conditions, and in the opinion of the Committee there is a responsibility to the owners to make good such damage or loss as may be judged fair compensation under the circumstances;

That the Committee, based on the joint reports of its Marine Surveyors and those of the Department of National Defence for Naval Services, is in a position to recommend a fair and equitable settlement of such damage claims under general principles, as follows:

- (a) Vessels sunk during impoundment. Cost of raising and reconditioning to place machinery in running condition, making hull reasonably watertight and providing one priming coat of paint.
- (b) Other hull and engine damage. Cost of reconditioning on satisfactory assurance that damage occurred while under impoundment.
- (c) Equipment losses. Allowance based on a sufficiency for the safe operation of vessel, conditional upon there being satisfactory evidence that such equipment was aboard when vessel was impounded. Due consideration to be given to depreciated values.
- (d) Disallowed items. Claims for skiffs or lifeboats or galley equipment and personal effects to be disallowed.

That the Committee, in its disposal operations to date, has taken steps in collaboration with the Commanding Officer, Pacific Coast, Department of National Defence for Naval Services, following the aforementioned principles, to determine the amount of fair and equitable settlement of damage claims of individual boats to permit disposal negotiations to proceed without interruption and in the interest of enabling release of the vessels as quickly as possible for employment in the fishing industry.

That it is desirable all claims be dealt with as expeditiously as possible to further facilitate the work of the Committee.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, that the Minister of Fisheries be granted authority whereby he may approve and make payment in settlement of claims made upon the Government for damage to, and deterioration of, impounded fishing vessels and equipment (including repairs

arising from such damage or deterioration) owned by persons of Japanese racial origin that may be recommended, following the principles aforementioned, by the Committee appointed by Order in Council of January 13, 1942, P.C. 288, for the disposition of such vessels and equipment and that the sum of \$80,000 be made available for such purpose from the War Appropriation.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing subsidy to certain fishing vessels on
the Pacific Coast**

P.C. 3738

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 5th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2798, dated April 10, 1942, regulations were adopted for the granting of a subsidy of \$165 per gross ton towards the construction of vessels of the packer-seiner type owing to the fact that the continued requisitioning of fishing vessels by the armed services on the Pacific Coast has reduced the productive capacity of the industry to the point where the fulfilment of its war supply function is endangered, and that the most acute shortage occurs at the present moment in vessels of the packer-seiner type of from 72 to 78 feet in length;

And whereas some confusion has arisen over the interpretation of the terms "gross tons" and "gross tons displacement" occurring in Clause 1 of the Order in Council;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, is pleased to amend clause numbered (1) of the said Order in Council and it is hereby amended to read as follows:—

- (1) Assistance shall be granted in the form of a subsidy of \$165 per ton, gross tonnage, to fishing vessels on the Pacific Coast of Canada of the packer-seiner type which measure not less than 72 feet overall length of main hull and a maximum length as may be determined by the Minister of Fisheries, measured from the forward part of the stem to the afterside of the rim timbers and which are otherwise of approved proportions and suitable form and equipped with sufficient power for the service in which the vessels will be engaged. The plans of the vessels must be approved by the Board of Steamship Inspection of the Department of Transport, and certified by it to come within the packer-seiner type or class.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting imports of soda ash from customs duty

P.C. 3739

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 5th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas soda ash of United Kingdom origin when imported into Canada is subject to a duty of customs of 15 cents per one hundred pounds, but a discount of 50 per cent is allowed under an amendment to the War Exchange Conservation Act, effective April 30, 1941;

And whereas the Minister of Finance reports that although the Canadian company manufacturing soda ash in Canada has more than doubled its output during the last twelve months, it is necessary for this company to supplement its production with large importations from the United Kingdom;

That increased importations of soda ash have been made necessary entirely by the expansion of industries producing materials for war purposes, such as aluminum, nickel, glass, silicate of soda, textiles, chemicals, explosives, etc.; and

That The Wartime Prices and Trade Board recommends that the customs duty be eliminated on imports of soda ash from countries entitled to British Preferential Tariff treatment;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order that until further ordered soda ash originating in and imported from countries entitled to British Preferential Tariff treatment be and it is hereby permitted entry free of customs duty, effective January 2, 1942.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing that import permit be required for vehicles, machines, implements and other articles equipped or designed to be equipped with rubber tires

P.C. 3773

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 7th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas in order to supplement the measures which have been taken to conserve rubber, it is deemed advisable to control the importation into Canada of vehicles, machines, implements and other articles equipped, or designed to be equipped, with rubber tires;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that no vehicle, machine, implement or other article equipped, or designed to be equipped, with rubber tires shall be imported into Canada unless an import permit therefor has first been issued by, or on behalf of, the Minister of National Revenue.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council prohibiting exportation of commodities listed
except under permit**

Canada Gazette (Extra), May 13, 1942

P.C. 3823

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 8th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of October 4, 1941, P.C. 7674, the exportation from Canada of certain articles is prohibited, except under permit issued by or on behalf of the Minister of Trade and Commerce;

And whereas the Department of Agriculture and the Wartime Prices and Trade Board have recommended that, in order to conserve supplies of essential commodities for Canadian requirements, the exportation of tankage, grasses, legumes, animal charcoal and certain textiles be now prohibited;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, Revised Statutes of Canada, 1927), is pleased to order as follows,—

1. The exportation of any of the commodities listed in the Annex hereto is hereby prohibited except under permit issued by or on behalf of the Minister of Trade and Commerce.

2. Schedule One of the said Order in Council (P.C. 7674 of October 4, 1941) is hereby amended by the addition thereto of the articles enumerated in the said Annex.

3. This Order shall come into force and have effect on and after the fifteenth day of May, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

ANNEX

Group 1.—AGRICULTURAL AND VEGETABLE PRODUCTS

Grasses, cereal or other, dehydrated. Legumes, dehydrated, for animal or poultry feeding.

Group 2.—ANIMALS AND ANIMAL PRODUCTS

Tankage, meat and bone tankage, meat meal or meat scrap, meat and bone meal, or meat and bone scrap, n.o.p.

Charcoal, animal, including bone char or bone black, either before or after use in clarifying sugar or syrup solutions.

Group 3.—FIBRES, TEXTILES AND TEXTILE PRODUCTS

Fabrics composed wholly or in part of cotton.

Articles composed wholly or in part of cotton.

Fabrics composed wholly or in part of artificial silk, or similar synthetic fibres produced by chemical processes, n.o.p.

Articles composed wholly or in part of artificial silk, or similar synthetic fibres produced by chemical processes, n.o.p.

Cellulose Acetate filament and yarn.

Cuprammonium (Bemberg) filament and yarn.

Cotton yarn, other (including thread).

Order in Council authorizing Metals Controller to appoint advisory committee with respect to increased production of copper, zinc, lead, etc.

P.C. 3895

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 11th May, 1942.

The Committee of the Privy Council have had before them a report dated 8th May, 1942, from the Minister of Munitions and Supply, representing that it is essential to the successful prosecution of the war that immediate steps should be taken to increase the production of copper, zinc and lead and other strategic metals and minerals and for that purpose to develop additional sources of supply in Canada including the development of "marginal" and "sub-marginal" properties; and

That under Order in Council P.C. 3187 of 15th July, 1940, as amended by Order in Council P.C. 7494 of 19th December, 1940, the Metals Controller is empowered to appoint such committees as he may deem advisable to perform the duties set forth in such Orders in Council.

The Minister states that the Metals Controller has recommended the appointment of one or more advisory committees, consisting of representatives of the Canadian mining and metallurgical industries who would serve without remuneration, to conduct investigations and make recommendations to the said Controller with respect to the increased production of copper, zinc and lead and other strategic metals and minerals and the development of marginal and sub-marginal properties and generally to advise and assist the Controller with a view to accomplishing the objects aforesaid.

The Minister observes that in his opinion, it is desirable and in the public interest that such a committee or committees be appointed and that provision be made for the payment of the reasonable and proper costs and expenses incurred in connection with or as incidental to the carrying out of its or their duties, including office and travelling expenses and the salary of any engineer whom it may be found necessary or desirable to engage in connection with the carrying out of such duties; and

That it is estimated that such costs and expenses, during a period of twelve months following the appointment of such committee or committees, will not exceed the sum of \$20,000.

The Committee, therefore, on the recommendation of the Minister of Munitions and Supply, advise that, under the authority of the War Measures Act and the Department of Munitions and Supply Act, authority be granted

- (a) for the appointment by the Metals Controller of one or more advisory committees for the purposes above indicated and such further or incidental purposes as the said Controller may deem advisable; and
- (b) for payment of the costs and expenses (subject to approval thereof by the Metals Controller reasonably and properly incurred in connection with or as incidental to the carrying out of the duties and responsibilities imposed upon or entrusted to the said committee or committees (including office and travelling expenses and the salary of an engineer as aforesaid)) up to but not exceeding in the aggregate the sum of \$20,000.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council revoking the Defence Air Regulations, 1940, and establishing "The Defence Air Regulations, 1942"

P.C. 3900

Canada Gazette, May 23, 1942.

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 11th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Munitions and Supply reports that experience in the administration of "The Defence Air Regulations, 1940", made by Order in Council P.C. 1890 of May 9th, 1940, and amended by Orders in Council P.C. 4626 of September 11th, 1940, P.C. 992 of February 12th, 1941, P.C. 1265 of February 20th, 1941, and P.C. 10200 of December 31st, 1941, has shown that the said regulations require to be revised and amended in certain respects;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under and by virtue of the provisions of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act, Regulation or Order, is pleased to order as follows:

1. "The Defence Air Regulation, 1940", made by Order in Council, P.C. 1890, of May 9th, 1940, as amended by Orders in Council P.C. 4626 of September 11th, 1940, P.C. 992 of February 12th, 1941, P.C. 1265 of February 20th, 1941, and P.C. 10200 of December 31st, 1941, are hereby revoked.

2. The attached regulations to control the flying of civil aircraft in Canada during the war, to be cited as "The Defence Air Regulations, 1942", are hereby made and established in the place and stead of the regulations hereby revoked.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

NOTE.—*Regulations printed in Canada Gazette, May 23, 1942*

**Order in Council amending P.C. 6702—Cost of Living Bonus—
Members of the Public Service**

P.C. 15/3975

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 14th May, 1942.

The Board recommend that Order in Council of August 26, 1941, P.C. 6702, as amended by Order in Council of March 3, 1942, 18/1656, be amended as follows, with effect from April 1, 1942:

- (1) By adding to paragraph (d) of Section 1—
" (xi) Any department or agency of the Government of Canada who have been specifically engaged by such department or agency for work on a construction project."
- (2) By striking out of Section 2 the symbol "(x)", wherever it appears therein, and substituting therefor the symbol "(xi)".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council suspending British Empire Content requirements of the
provisos in certain Tariff Items**

P.C. 120/3975

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 14th May, 1942.

The Board had under consideration a memorandum from the Honourable the Minister of National Revenue reporting that:

"1. Whereas, Canadian manufacturers of aircraft and complete parts thereof (not including engines), in order to obtain the benefit of duty-free entry under Tariff Items 440m (ii) and 832 for certain specified articles as

against various rates of duty under various other Tariff Items, when the articles are for use exclusively in the manufacture of aircraft and complete parts thereof, not including engines, are required, by the provisos to the said Tariff Items, to attain a British Empire Content of not less than sixty per centum of the factory cost of production; and,

2. Whereas, since shortly after Canada's entry into the war the production of aircraft for private and commercial purposes has been discontinued and the entire industry comprising both government-owned companies and privately-owned companies, including parts manufacturers, has been engaged in the production of aircraft and parts thereof for war purposes; and,

3. Whereas, by reason of the enormous expansion of the industry, including the many small plants engaged in the manufacture of 'bits and pieces' and acting as 'feeders' to the larger plants, in an endeavour to supply in ever-increasing volume the needs of the R.A.F., the R.C.A.F. and Air Forces of other Allied Nations, the problems of manufacture and assembly have become more and more complex as time goes on; and,

4. Whereas, inasmuch as the aircraft industry, being engaged solely on war contracts, is now completely under government control, under the direction of the Director General of Aircraft Production, Department of Munitions and Supply, no good purpose will be served by continuing the British Empire Content requirements of the provisos in Tariff Items 440m (ii) and 832 and the regulations prescribed by the Minister of National Revenue, and much clerical work by the aircraft companies and their sources of supply, and much investigational work by officers of the Customs Division of the Department of National Revenue, will be rendered unnecessary if the said British Empire Content requirements are suspended during such time as present conditions obtain, thus releasing personnel for employment on other work of more importance in the war effort.

5. Now, therefore, the undersigned, Minister of National Revenue, has the honour to recommend that, under authority of Section 3 of the War Measures Act, it be ordered that the British Empire Content requirements of the provisos in Tariff Items 440m (ii) and 832 and in the regulations prescribed by the Minister of National Revenue under date of August 10, 1940, be suspended in respect of the manufacture of,—

- (a) Aircraft and complete parts thereof for war purposes under contracts with the Minister of Munitions and Supply or direct with the British Air Ministry; and,
- (b) Aircraft and complete parts thereof for essential national services, such as for Dominion or Provincial Government police patrols, forest protection service, and private, public and commercial services essential to the war effort, under permission of the Director General of Aircraft Production, Department of Munitions and Supply.

6. And I do further recommend that any Order in Council based on this recommendation be made effective in respect of production of aircraft and complete parts thereof, not including engines, as from June 25, 1940." The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting cheese boxes

P.C. 3982

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 13th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 453, dated the fifth day of March, 1938, under the authority of the Dairy Industry Act, Regulations were made prescribing that the thickness of bands and hoops (vener) used in the manufacture of cheese boxes shall be not less than one-fifth of an inch in thickness;

And whereas the Minister of Agriculture reports that by reason of increased production of cheese and possible shortage of material used in the manufacture of cheese boxes it is desirable and expedient that the Regulations be amended for the duration of the war by prescribing a thinner veneer;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased to make the following Regulation and it is hereby made and established accordingly:

REGULATION RESPECTING CHEESE BOXES

- (1) Hoops and bands shall be made from good sound wood and shall be not less than one-sixth of an inch in thickness.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing use of substitutes for sugar

P.C. 4010

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 21st day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Pensions and National Health and the Minister of Agriculture report that the Co-ordinator, Foods Administration, advises that the conservation of supplies of sugar at the present time is desirable and in the public interest; and

That technical advisers of the Department of Agriculture and of the Department of Pensions and National Health advise that in an emergency certain substitutes for sugar may properly be used in the preservation of foods.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health and the Minister of Agriculture and under the authority of The War Measures Act, Chapter 206, R.S.C., 1927, is pleased to order and doth hereby order as follows:—

1. Notwithstanding anything contained in the Food and Drugs Act, the Dairy Industry Act or the Meat and Canned Foods Act and regulations made thereunder, prescribing standards of quality and limits of variabilities permissible in food products, wherever the use of sugar (sucrose) or sugar syrup is specified in the said regulations pertaining to processed fruits, vegetables and ice cream products, there may be used, without declaration, a combination of not less than 75% by weight of sucrose with not more than 25% by weight of dextrose, glucose or corn syrup.

2. Any person who contravenes or fails to observe this Order shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding \$1,000 or to imprisonment for a term not exceeding one year or to both fine and imprisonment; any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against such Order shall be guilty of such offence personally and cumulatively with said company or corporation.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Defence of Canada regulations—Censorship

Canada Gazette (Extra), 20th May, 1942

P.C. 4012

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 13th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is deemed expedient that all aspects of censorship be co-ordinated under the Minister of National War Services, and that a Director of Censorship should be appointed;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W. L. Mackenzie King, the Prime Minister, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered as follows:

1. Regulation 13 of the Defence of Canada Regulations (Consolidation), 1941, is hereby amended by striking out the words "Appropriate Minister" and "Minister" wherever they occur in subsections (1), (2) and (3) thereof and substituting therefor the words "Minister of National War Services", and by revoking subsection (5) thereof.

2. Subsection (5) of Regulation 14 of the said Defence of Canada Regulations is hereby revoked and the following substituted therefor:

“(5) The Minister of National War Services may by order make provision for the censorship of all mailable matter as defined in the Post Office Act, Chapter 161 of the Revised Statutes of Canada, 1927, or of any class or classes of such mailable matter as may pass through or be dealt with in any way in the mails of Canada.”

3. Regulation 15 of the said Defence of Canada Regulations is hereby amended by striking out the words “Secretary of State of Canada” wherever they occur, and substituting therefor the words “the Minister of National War Services”.

4. (1) There shall be a Director of Censorship, to be appointed by the Governor in Council, who shall hold office during pleasure and shall be responsible to the Minister of National War Services.

(2) The Director of Censorship shall, under the direction of the Minister of National War Services, oversee and direct all members of the Public Service engaged in censorship duties, exercise general control of the performance of such duties, and discharge such other duties as may be required by the Minister of National War Services or by the Governor in Council.

(3) The Minister of National War Services may appoint a Deputy Director of Censorship who, in the absence of the Director, shall exercise his powers and perform his duties.

5. The Minister of National War Services may appoint or designate such Assistant Directors of Censorship to be called Chief Censors, as he deems advisable, provided that until such time as the Minister of National War Services makes such appointments,

(1) the Director of Postal Censorship heretofore appointed by the Postmaster-General, shall be an Assistant Director of Censorship, to be known as the Chief Postal Censor;

(2) the Chief Telegraph Censor, heretofore appointed by the Minister of National Defence, shall be an Assistant Director of Censorship, to be known as the Chief Telegraph Censor;

(3) the Radio Broadcasting Censor, heretofore appointed by the Minister of National War Services, shall be an Assistant Director of Censorship, to be known as the Chief Radio Broadcasting Censor;

(4) The Director of Radio Censorship, heretofore appointed by the Minister of Transport, shall be an Assistant Director of Censorship, to be known as the Chief Radio Censor;

(5) the Press Censors for Canada, heretofore appointed by the Secretary of State of Canada, shall be Assistant Directors of Censorship, to be known as the Chief Press Censors.

6. (1) Subject to the approval of the Governor in Council, the Minister of National War Services may appoint such persons as he deems necessary for the efficient operation of the censorship, and fix the remuneration thereof, and until such time as appointments are made under this section, the persons now employed in the operation of the censorship shall continue to function and be remunerated as heretofore.

(2) Approval is hereby given of the appointment by the Minister of National War Services, of all the persons now employed in the operation of the censorship, at their present rates of remuneration.

7. All expenses of the operation of the postal, press, radio, radio broadcasting and cable, telegraph and telephone censorship, including the salaries of all persons appointed under this Order, by name or by categories, shall be paid by the Department of National War Services as from the date of their respective appointments or as from the first day of May, 1942, if they were employed in relation to the censorship at the date of this Order.

8. All persons engaged in relation to the censorship other than those appointed under this Order shall be responsible to the Minister of National War Services in respect of all matters relating to the censorship, notwithstanding that in other matters they may be responsible to Ministers other than the Minister of National War Services.

9. The Minister of National War Services may set up one or more Censorship Advisory Committees which shall consist of representatives of such departments and branches, and such other persons, as the Governor in Council or the Minister of National War Services shall designate and of which the Minister of National War Services shall be Chairman and the Director of Censorship Vice-Chairman.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council granting commissions to women selected as medical officers of Canadian Military and Air Force Medical Services

P.C. 4059

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 15th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports that at the present time members of the Nursing Services of the Canadian Military and Air Force Medical Services have relative rank of officers but do not possess the status of officers in the respective service nor does such relative rank carry with it the power of command exercisable by an officer with corresponding rank;

That women who are qualified Medical practitioners have been appointed to commissioned rank in the Air Force Medical Service and it is possible that similar appointments may be made to the Military Medical Service, and it is desirable that the status of such women as officers be regularized so as to enable them to exercise the power of command exercisable by an officer of the rank which said women members may hold; and

That members of the Canadian Women's Army Corps and Royal Canadian Air Force (Women's Division), who are selected to serve as officers may be granted and hold commissions, and it is desirable that like provision may be made in respect to those women who have been appointed medical officers

enlisting in the Canadian Military and Air Force Medical Services and those who are members of the Nursing Service of these Services;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, concurred in by the Minister of National Defence for Air, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, and notwithstanding the provisions of any other law or regulation, is pleased to order, and it is hereby ordered—

that women who have been selected as Medical Officers of the Canadian Military and Air Force Medical Services, and those members of the respective Nursing Service of such Medical Services who, pursuant to due authority, have been selected to serve as officers therein may be granted and hold commissions and have the power to command exercisable by officers of the rank which they respectively hold, subject to such restrictions and conditions as may from time to time be prescribed by the Governor in Council.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council suspending operations of provisions of P.C. 489—re
Vitamin B Bread and Vitamin B White Bread**

P.C. 4064

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 15th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas regulations made under the authority of Section 3 of the Food and Drugs Act require that the ingredients of breads known as Vitamin B White Bread (Canada Approved) and Vitamin B Bread (Canada Approved) include non-fat milk solids amounting to not less than four (4) per cent of the weight of the flour;

And whereas, in view of present and immediately prospective problems of supply, it is deemed advisable, by suspending temporarily the said regulations in so far as they refer to non-fat milk solids, to permit bakers to bake the said breads without any stipulated content of non-fat milk solids.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, under the authority of the War Measures Act (Chapter 206 of the Revised Statutes of Canada 1927), and notwithstanding anything contained in any regulation under the Food and Drugs Act or in any other Act or regulation, is pleased to order that henceforth and until the present war shall have been terminated by proclamation or otherwise by law or until such earlier date as may be ordered by law, the provisions of Order in Council of the 22nd January, 1942 (P.C. 489), in so far as they require a non-fat milk solid content in the breads known as Vitamin B White Bread (Canada Approved) and Vitamin B Bread (Canada Approved), be and they are hereby suspended from operation.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting protection of
petroleum reserves

Canada Gazette (Extra), June 13, 1942

P.C. 4107

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 16th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Munitions and Supply reports that the Chiefs of Staff of the Armed Forces of Canada have recommended that appropriate measures be taken for the protection of supplies of petroleum;

And whereas the War Committee of the Cabinet has recommended that such appropriate measures be taken by an official in the Department of Munitions and Supply, reporting to the Minister of Munitions and Supply and consulting with the appropriate officials in the said Department of Munitions and Supply and with the Department of National Defence, and the Armed Forces of Canada;

Now therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the authority of the Department of Munitions and Supply Act, and The War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the following Regulations Respecting Protection of Petroleum Reserves and they are hereby made and established accordingly.

REGULATIONS RESPECTING PROTECTION OF PETROLEUM
RESERVES

1. INTERPRETATION

- (1) For the purposes of these Regulations and of any Order made under these Regulations unless the context otherwise requires:
 - (a) "Director" shall mean the person from time to time appointed Director of Protection of Petroleum Reserves by the Governor General in Council and for the time being in office as such;
 - (b) "equipment" shall include any articles, substances or things which are or can be used to equip petroleum storage facilities;
 - (c) "Minister" shall mean the Minister of Munitions and Supply;
 - (d) "person" shall include corporation, partnership, association or any number or aggregation of persons;
 - (e) "petroleum" shall mean and include oil, petroleum, lubricating oil, fuel oil, gasoline, kerosene, naphtha, asphalt, bitumen, and all derivatives therefrom and by-products thereof;
 - (f) "Petroleum Storage Facilities" shall mean any facilities which are or can be used for the storage of petroleum.

- (2) Except as herein otherwise provided His Majesty in right of Canada and His Majesty in right of any Province thereof shall be bound by the provisions of these regulations.

2. CONSTITUTION OF DIRECTOR OF PROTECTION OF PETROLEUM RESERVES

There shall be a Director of Protection of Petroleum Reserves who shall have the powers and duties set out in these Regulations.

3. POWERS AND DUTIES OF THE DIRECTOR

- (1) It shall be the duty of the Director,

- (a) To ascertain and analyse the required protection of Petroleum stocks generally or in any area or place in view of possible enemy action;
- (b) To ascertain and analyse the capacity, kind, location and vulnerability of any storage facilities available and/or necessary to accommodate stocks and/or required stocks of petroleum;
- (c) To recommend to the Minister, what, if any protective measures should be carried out, specifying which of such measures in his opinion are necessary to take care of the normal peacetime commercial risks and which are additional protective measures required for defence against possible enemy action;
- (d) To recommend to the Minister what protective measures, if any, should properly be undertaken at the expense of His Majesty in right of Canada, and what protective measures, if any, should be carried out at the expense of the owners of storage facilities, specifying which of such measures should be performed by His Majesty in right of Canada and which by the owners of the storage facilities, in order to obtain the performance of such measures in the most expeditious manner;
- (e) To report to the Minister upon the duties herein charged upon the Director;
- (f) For the purposes of these Regulations to consult and to operate with the Department of National Defence, the Armed Forces of Canada, the Oil Controller, The Canada Shipping Board, and with any person or agency performing functions similar to the functions of the Director in the United Kingdom or in the United States of America.

- (2) The Director shall have power,

- (a) To prohibit or require or regulate the use, construction, repair or alteration of or any addition to, or the demolition or removal of, any petroleum storage facilities or equipment;
- (b) To prescribe conditions or specifications including protective measures for the use, construction, erection, repair or alteration of or any addition to any petroleum storage facilities or equipment including the type, quality, strength, or capacity of any such petroleum storage facilities or equipment and/or the component materials thereof and to order or require any person or persons to comply with any such conditions or specifications;
- (c) To construct, erect, repair, alter or add to, any petroleum storage facilities or equipment and/or to establish or furnish any fire-fighting, watchmen or other facilities for the purpose of furnishing the required protection of petroleum stocks or petroleum storage facilities generally or in any area or place in view of possible enemy action;

- (d) To order or require any person owning or operating Petroleum Storage Facilities or equipment to take such measures for the protection of such petroleum storage facilities and any petroleum therein as the Director may prescribe;
- (e) To order or require any person or any municipal, provincial or Federal authority to furnish such adequate fire means and/or fire-fighting equipment for the protection of Petroleum Storage Facilities as the Director may prescribe.

4. PROTECTION TO DIRECTOR AND AGENTS

The Director and any person acting for, or on behalf of, or under the authority of, the Director shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Director.

5. PENALTIES

Any person who contravenes or fails to observe any order or who, in any manner hinders or obstructs the Director and any person acting for, or on behalf of, or under the authority of, the Director in the exercise of the powers conferred on the Director, shall be guilty of an offence under The Department of Munitions and Supply Act.

6. COMPENSATION

If the Minister determines that any person is entitled to compensation by reason of any Order or requirement of the Director, the compensation to be paid shall be such as is prescribed and determined by the Director with the approval of the Minister, provided that the Minister may refer any question of compensation to the Exchequer Court.

His Excellency in Council, on the same recommendation, is further pleased hereby, to appoint Frederick Charles Mechin, Esquire, of the City of Montreal, Quebec, Director of Protection of Petroleum Reserves, with the powers, duties, privileges and immunities conferred or charged upon, or vested in a Director of Protection of Petroleum Reserves by the Regulations herein before set forth; and to order that there be paid to the said Frederick Charles Mechin the administration expenses (including actual out of pocket expenses, for travelling of himself or anyone acting under his authority) incurred by him in the exercise of his powers or the discharge of his duties as Director of Protection of Petroleum Reserves.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting cleaned rice from import duty

P.C. 4136

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 18th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas cleaned rice is dutiable at the rate of 50 cents per one hundred pounds under the British Preferential Tariff, 90 cents per one hundred pounds under the Intermediate Tariff, and \$1 per one hundred pounds under the General Tariff, with a United States Trade Agreement rate of 70 cents per one hundred pounds;

And whereas the Minister of Finance reports that during recent months the amount of war exchange tax collected on cleaned rice imported from the United States has exceeded the amount of customs duty paid on imports of cleaned rice from that country;

That the landed cost in Canada of cleaned rice imported from the United States has advanced almost 60 per cent since September, 1941; and

That removal of the customs duty and war exchange tax on imports of cleaned rice will reduce the cost of production of cereal foods made from this commodity and enable these foods to be sold under the ceiling price;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order, and it is hereby ordered that, effective 15th April, 1942, cleaned rice when imported by manufacturers of cereal foods for use in the manufacture of cereal food be accorded the tariff treatment hereunder indicated and be exempt from war exchange tax when imported from countries entitled to Intermediate Tariff treatment:

Cleaned rice, when imported by manufacturers of cereal foods, for use in the manufacture of cereal foods, in their own factories . . .

British Preferential
Tariff
Free

Intermediate
Tariff
Free

General Tariff
\$1 per one hundred
pounds

(To be designated as Tariff Item 63a.)

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending agreement with Province of British Columbia—
training of unemployed young people

P.C. 4142

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 18th May, 1942

The Committee of the Privy Council have had before them a report, dated 9th May, 1942, from the Minister of Labour, representing:—

1. That pursuant to Order in Council P.C. 1560 dated June 23, 1939, passed under The Youth Training Act, 1939, an agreement was entered into with the Province of British Columbia relative to the training of "unemployed young people" during the period April 1, 1939 to March 31, 1942;

2. That section 1 (b) of said agreement provided that:

"In this Agreement, unless the context otherwise, requires, the expression

"unemployed young people" means male or female individuals of any age between 16 years and 30 years inclusive, not gainfully employed and whose families are not in a position to pay the full cost of their training and who are,

(1) registered for employment with the Employment Service of Canada, or

(2) certified as eligible by the secretarial clerk of the individual's home municipality or by an appropriate Provincial authority, or

(3) deserving transients certified as eligible by an appropriate Provincial authority.

3. That one of the projects carried on under the terms of the aforementioned agreement was for the purpose of providing physical and recreational training;

4. That since the outbreak of war the physical and recreational training project has been encouraged in order to develop physical fitness and persons who would be able to pay a fee for the training given may have been admitted for training contrary to the terms of section 1 (b) of the agreement, referred to in paragraph 2 above; and

5. That the maximum Dominion contribution was limited under the terms of the agreement to \$2 per year in respect of any person attending the physical and recreational training project and any nominal fee established for the training would have discouraged attendance.

The Committee, therefore, on the recommendation of the Minister of Labour, advise that under the authority of the War Measures Act, the terms of section 1 (b) of the agreement referred to in paragraph 1 above be waived in respect to the physical and recreational training given in the Province of British Columbia during the period October 1, 1939 to March 31, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing equipment plants and production and storage of dehydrated products

P.C. 4/4171

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 18th May, 1942

The Board had under consideration a memorandum from the Honourable the Minister of Agriculture reporting that:

"Whereas by Order in Council, P.C. 9228, dated the 6th day of December, 1941, authority was granted for the expenditure of a sum of money to equip five plants in Canada for the dehydration of vegetables and for the purchase of potatoes, turnips, carrots and cabbage for this purpose and for the processing, storing and selling of the dehydrated products, and

Whereas the work authorized under the aforesaid Order in Council has been completed and has shown that dehydrated vegetables of superior quality can be manufactured in commercial quantities under governmental supervision and such products are meeting with ready sale for emergency rations for the Canadian Armed Forces and the money that has been expended will be largely, if not all, recovered by the sale of the products which have been produced, and

Whereas the shortage of tinplate for the conservation of foods, the possible shortage of containers for shipment of fresh products and the increasing difficulties of transportation have resulted in increasing interest in dehydrated products for Canadian Armed Forces, for civilian use in Canada and for shipment to Great Britain, and for these reasons the production of a further quantity is desirable, and

Whereas to assure production of high quality products it is desirable and expedient that the processing of dehydrated products should, for the present, continue under the direct control and supervision of the Government and that where necessary plants be equipped with additional dehydration equipment, the cost of which will be absorbed by the Dominion Government as a capital outlay necessitated in the production of strictly war commodities, and

Whereas to allow for payment of reasonable prices for dehydrated materials together with storage and transportation costs of the dehydrated products, it is estimated that the sum of \$500,000 will be required, \$50,000 of which may be used for additional dehydration equipment, and

Whereas it is expected that through the sale of the dehydrated products full cost of such products will be recovered by the Treasury of Canada, and

Whereas it is necessary in order to complete such a program, that contracts for the processing be made immediately, thereby enabling processors to enter into contracts with growers for the growing of raw materials.

The undersigned, therefore, recommends, on the report of the Agricultural Supplies Board, that authority be granted under the War Measures Act:

- (1) to equip the necessary plants in Canada to dehydrate vegetables in accordance with prescribed specifications;

- (2) to enter into contracts with processors for the production of dehydrated products and where necessary to specify the prices at which processors shall purchase raw materials for processing;
- (3) to store, sell or otherwise dispose of the said dehydrated products as may be deemed desirable or expedient.

The undersigned further recommends that authority be granted for the expenditure out of moneys allotted from the War Appropriation to the Department of Agriculture for the use of the Agricultural Supplies Board of a sum not exceeding \$500,000 for the said purposes."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting Rubber, Crude, Caoutchouc or India-Rubber from Various Duties

P.C. 4191

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of May, 1942.

PRESENT:

HIS EXCELLENCY,
THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that rubber, crude, caoutchouc or India-rubber, unmanufactured, n.o.p. is admitted duty free when imported from countries entitled to British Preferential Tariff treatment, but a customs duty of 5 per cent ad valorem and a war exchange tax of 10 per cent ad valorem apply to imports from countries the products of which are subject to Intermediate or General Tariff treatment;

That latex, being crude natural rubber in liquid form, not compounded beyond the addition of preservatives is admitted duty free from all countries but the war exchange tax of 10 per cent ad valorem applies to imports from countries the products of which are subject to Intermediate or General Tariff treatment;

That in addition to the customs duty and war exchange tax the special excise tax of 3 per cent applies to imports from countries the products of which are subject to General Tariff treatment; and

That the National interest would be best served in the emergency by exempting all imports of crude rubber and latex as described above from customs duties and taxes.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered that until further ordered:

1. The goods described in sub-item (1) of Tariff Item 616, namely "rubber, crude, caoutchouc or India-rubber, unmanufactured, n.o.p." when imported from countries the products of which are entitled to Intermediate or General Tariff treatment be exempt from the customs duty of 5 per cent ad valorem and the war exchange tax of 10 per cent ad valorem;

2. The goods described in sub-item (iii) of Tariff Item 616, namely "latex, being crude natural rubber in liquid form, not compounded beyond the addition of preservatives" when imported from countries the products of which are entitled to Intermediate or General Tariff treatment be exempt from the war exchange tax of 10 per cent ad valorem; and

3. The goods described in sub-items (i) and (iii) of Tariff Item 616 when imported from countries the products of which are entitled to General Tariff treatment be exempt from the special excise tax of 3 per cent.

His Excellency in Council is further pleased to order and it is hereby ordered that the aforementioned exemptions from customs duty, war exchange tax and special excise tax shall be retroactive to January 2nd, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulations—Regulation
15A—name of publisher of every document containing political
comment shall be made public**

Canada Gazette (Extra), May 22, 1942

P.C. 4201

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Justice reports that it has been represented to him that provision should be made to insure, during the war, that the name of the publisher of every document containing political comment should be made public;

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding immediately after regulation fifteen the following:

"15A. (1) Every printed newspaper, pamphlet, circular, handbill, dodger, or other like document having reference to or containing any comment on a political, social or religious question shall bear upon it printed in a conspicuous place and in legible characters the name of an existing

natural person of the full age of twenty-one years or of a corporation or of a firm or partnership duly registered under the laws of a province, being the printer thereof, and the usual place of business of such printer, and every person printing, publishing distributing or posting up or causing to be printed, published, distributed or posted up any such document which does not bear upon it printed in a conspicuous place and in legible characters such name and usual place of business is guilty of an offence against this regulation.

(2) Every person who prints for another any document mentioned in paragraph one of this regulation shall preserve and keep for the space of six months after the printing of the same one copy, at least, of every document so printed by him on which he shall write or cause to be written in legible characters the name of an existing natural person of the full age of twenty-one years or of a corporation or of a firm or partnership duly registered under the laws of a province, being the person for whom he printed the same, and the usual place of abode of such person, and every person who, for another, prints any document aforesaid and who omits or neglects to write or cause to be written as aforesaid the name of the person, corporation, firm or partnership for whom such document was printed or to preserve and keep the same, as hereinbefore provided, for the space of six months next after the printing thereof is guilty of an offence against this regulation.

(3) For the purposes of this regulation 'political, social or religious question' shall include any question relating to religious beliefs or practices, racial, political, social, occupational and professional groups or organizations, and the public safety, the defence of Canada, the maintenance of public order, the efficient prosecution of the war, and the maintaining of supplies or services essential to the life of the community."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council restricting export of cattle except under permit

P.C. 4269

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 20th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Wartime Food Corporation Limited has been incorporated for the purpose among others of buying and selling cattle with a view to stabilizing within reasonable limits marketings and prices of cattle;

And whereas the Minister of Finance reports that it is desirable to make provision to ensure adequate supplies of beef for domestic consumption in Canada and to facilitate orderly marketing of cattle at appropriate prices according to the season of the year.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to order and doth hereby order as follows:

1. For the purposes of this Order, "cattle" means cattle (other than dairy cattle) weighing seven hundred pounds or more each, and any cattle weighing under seven hundred pounds each which become eligible for reduction in duty upon entry into the country of destination.

2. The Wartime Food Corporation Limited shall from time to time, as authorized and directed by the Wartime Prices and Trade Board, take such action as may be deemed advisable to divert export cattle at export prices to domestic consumption and to support domestic cattle prices at appropriate levels according to the season of the year, if and so long as the export quota under the United States Trade Agreement for any quarter remains unfilled.

3. On and after June 15th, 1942, no person shall export cattle except under and in accordance with the terms of a licence issued by or under the authority of the Wartime Prices and Trade Board.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 3511 of 30th April, 1942—ship loading operations

P.C. 4270

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 21st day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act (Chapter 206 of the Revised Statutes of Canada, 1927) and of the National Resources Mobilization Act, 1940 (Chapter 13 of the Statutes of Canada, 1940) is pleased to amend Order in Council P.C. 3511 of 30th April, 1942, and it is hereby amended as follows,—

1. By revoking section 4 thereof and substituting therefor the following:

"4. The terms of any agreements presently existing between the Longshoremen's Association and the Shipping and Stevedoring Companies of Halifax shall continue to apply to ship loading operations except in so far as they are inconsistent with the terms of this Order as to matters other than wage rates."

2. By striking out from section 19 thereof the words "on the first day of May, 1942" and substituting therefor "on the eighteenth day of May, 1942".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Minister of Agriculture to permit Associations to hold race meetings on race courses other than their own

P.C. 4274

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 22nd day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Agriculture reports that certain Associations are unable to conduct horse racing because their race courses are being used by the Department of National Defence; and

That because of this and other considerations it is considered advisable to allow Associations affected thereby to use race courses other than their own;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, and under the authority of the War Measures Act, is pleased to empower and doth hereby empower the Minister of Agriculture, for the duration of the war, to authorize an Association as referred to in Subsection 2 of Section 235 of the Criminal Code to hold a race meeting as provided in the said subsection upon a race course other than one belonging to such Association provided that said race course is one which is now subject to the provisions of Subsection 2 of Section 235 of the Criminal Code and is located in the vicinity of the race course belonging to such Association.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending Wartime Salaries Order—definition of
“employer engaged in war industry”

Canada Gazette (Extra), May 26, 1942

P.C. 4346

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that the wording of paragraph 5 of The Wartime Salaries Order (P.C. 1549, 27th February, 1942) includes within the scope of that paragraph such broad classification of employers that it lacks the definiteness required for administrative purposes;

That the said paragraph 5 was intended to benefit and extend only to persons engaged in undertakings having to do with the production, repairing and servicing of implements of war and war supplies, as such terms are commonly understood, and was not intended to apply generally to persons engaged in industries producing goods for general consumption, such as are common in times of peace; and

That it is desirable to amend the said paragraph in order to make clearer the types of employers to which it should apply;

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Finance (concurred in by the Minister of National Revenue) and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to revoke paragraph 5 of the Wartime Salaries Order, being P.C. 1549 of February 27, 1942, and it is hereby revoked and the following substituted therefor:

- "5. (a) Notwithstanding paragraph 2 hereof, the Minister of National Revenue, if he is satisfied that it is important to the war effort that an increased rate of salary be paid to a particular salaried official, may, in special cases, permit an employer engaged in a war industry to grant one increase of an amount approved by the Minister in the rate of salary paid to
- (i) a salaried official who is a citizen of a country other than Canada and who is performing services in Canada requiring special technical or other special qualifications and experience;
 - (ii) a salaried official who was engaged at a probationary rate of salary on or after January 1, 1940, and prior to December 1, 1941;
 - (iii) a salaried official whose duties and responsibilities have been substantially increased, since his salary rate was established, by reason of new or additional production for war purposes in the plant, factory, firm or other production unit in which he is employed;
 - (iv) a salaried official whose rate of salary is unduly low in relation to the prevailing rate of salary generally payable for the same or substantially similar services in the same business or in comparable businesses, provided that the new salary rate established by the increase herein permitted shall not exceed the said prevailing rate.
- (b) For the purpose of this paragraph "an employer engaged in a war industry" is intended to mean an employer engaged in the production, repairing or servicing of implements or munitions of war, as such terms are commonly understood, or of ships or aircraft, or an employer engaged mainly in supplying parts, materials, equipment or services for use therein, or an employer engaged wholly or mainly on construction for war purposes, but shall not include an employer engaged mainly in supplying, producing, repairing or servicing goods, materials, equipment or services for general use, such as are common in times of peace. For greater certainty but without restricting the generality of the foregoing, the following shall be deemed to be employers engaged in war industry:

- (i) businesses which have been established since September 1, 1939, to produce, service or repair implements or munitions of war, as such terms are commonly understood;
 - (ii) businesses which have substantially expanded, converted or altered their operations at the request of the Department of Munitions and Supply, for the purpose of producing, repairing or servicing implements or munitions of war, or of supplying materials or equipment mainly used in producing, repairing or servicing implements or munitions of war.
- (c) Application for permission to pay an increased salary to a salaried official pursuant to the provisions of this paragraph shall be submitted by the employer to the Minister of National Revenue on the prescribed form, setting forth all the facts which in the opinion of the employer warrant the proposed salary adjustment. No payment of an increase in salary pursuant to the provisions of this paragraph, or on account thereof, shall be made to a salaried official until notification has been received by the employer from the Minister stating that an increase in salary has been approved and the amount thereof. The decision of the Minister as to whether an increase in salary is to be permitted under the terms of this paragraph, and as to the amount thereof, shall be final and conclusive."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending P.C. 7191, 12th September, 1941—
definition of rubber**

Canada Gazette (Extra), May 23, 1942

P.C. 4347

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 22nd day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Chairman of the Wartime Industries Control Board and the Controller of Supplies advise that, in order to facilitate the effective operation of the regulations respecting the sale and distribution of rubber in Canada, it is necessary that Order in Council P.C. 7191, of 12th September, 1941, as amended by P.C. 8545, of 4th November, 1941, be further amended in the manner hereinafter provided;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under authority of the War Measures Act, is pleased to amend Order in Council P.C. 7191, of 12th September, 1941 (as amended by P.C. 8545, of 4th November, 1941) and it is hereby amended as follows:

1. Paragraph (d) of section 1 is rescinded and the following is substituted therefor:

“(d) ‘Rubber’ means crude natural rubber in all its forms and without restricting the generality of the foregoing, includes liquid latex of natural rubber not compounded beyond the addition of preservative, unmanufactured balata, unmanufactured gutta percha and unmanufactured guayule.”

2. Section 2 is rescinded and the following is substituted therefor:

- “2 (i) After the date of the publication hereof in the Canada Gazette, no person shall import rubber or rubber products into Canada except under permit issued by the Minister of National Revenue.
- (ii) For the purposes of this section, rubber products mean articles or products manufactured wholly or in part of rubber of any kind including rubber as defined in section 1, paragraph (d) hereof, scrap rubber and rubber reclaim.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 1910, March 18th, 1941—calling men out from time to time for military training

P.C. 4358

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1910 dated March 18th, 1941, pursuant to the National Resources Mobilization Act, 1940, and the War Measures Act, Reserve Army (Special) Regulations, 1941, were established for the purpose of making provision for the training, discipline, administration and other matters in respect of the men called out or to be called out from time to time pursuant to the National Resources Mobilization Act, 1940;

And whereas the Minister of National Defence reports it is necessary to make further provision in respect of the men called out or to be called out from time to time for military training pursuant to the National Resources Mobilization Act, 1940, and any Regulations passed thereunder, and

That further amendments to Reserve Army (Special) Regulations, 1941, are accordingly required for the purposes aforesaid.

Therefore, His Excellency the Governor General in council, on the recommendation of the Minister of National Defence and under the authority of the National Resources Mobilization Act, 1940, Chapter 13, of the Statutes of 1940 and the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, and notwithstanding the provisions of any other Statutes, Regulations or Orders, is pleased to amend the said Reserve Army (Special) Regulations, 1941, and they are hereby amended as follows:—

1. Sub-paragraph (f) of paragraph 3 is amended by deleting the semicolon after the word "Arms", in the third line thereof, inserting a comma and adding the words,

"and includes a District Depot or any establishment or unit of the Canadian Army."

2. Sub-paragraph (g) of paragraph 3 is amended by adding to the end thereof the following:

"It also includes a District Depot or any establishment or unit of the Canadian Army."

3. The following new sub-paragraph (gg) is added after sub-paragraph (g) in paragraph 3:

"(gg) "Training Centre" means a Basic Training Centre, an Advanced Training Centre, a District Depot, or any establishment or unit of the Canadian Army."

His Excellency in Council, is further pleased to order that the foregoing amendments to the said regulations shall come into force and operation on the 15th day of May, A.D., 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export of commodities listed except under permit

Canada Gazette (Extra), May 30, 1942

P.C. 4361

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of October 4, 1941, P.C. 7674, the exportation from Canada of certain articles is prohibited, except under permit issued by or on behalf of the Minister of Trade and Commerce;

And whereas the Department of Agriculture and the Wartime Prices and Trade Board have recommended that, in order to conserve supplies essential for Canadian requirements, the exportation of certain grain and glass products be now prohibited;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206 R.S.C. 1927) is pleased to order as follows:—

1. The exportation of the following commodities is hereby prohibited, except under Permit issued by or on behalf of the Minister of Trade and Commerce:

Group 1.—AGRICULTURAL AND VEGETABLE PRODUCTS

Wheat germ and wheat germ middlings,
Oat groats or hulled oats, oat middlings,
Oat shorts and animal feeding oatmeal.

Group 7.—NON-METALLIC MINERALS AND THEIR PRODUCTS

Lamp and lantern chimneys of glass,
Demijohns or glass carboys, bottles, decanters, flasks, jars, phials
and balls, of glass.

2. Schedule One of the said Order in Council (P.C. 7674 of October 4, 1941) is hereby amended by the addition thereto of the articles above enumerated.

3. This Order shall come into force and have effect on and after the first day of June, one thousand nine hundred and forty-two.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council revoking section 3 of Regulation 12 of the Patents,
Designs, Copyright and Trade Mark (Emergency) Order 1939—
payments for renewals or registration of patents, etc.,
in enemy territory

P.C. 4401

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Section (3) of Regulation 12 of the Patents, Designs, Copyright and Trade Mark (Emergency) Order, 1939, permits certain payments to be made for obtaining the grant and renewal of patents and for obtaining the registration of copyrights, designs and trade marks or the renewal of such registration, in enemy territory and proscribed territory, under appropriate conditions, and that this provision was made in order that the practice in Canada might be similar to the practice in the United Kingdom;

And whereas the Secretary of State reports that, as a result of consultations with representatives of the United Kingdom, the provision has now been revoked in the United Kingdom;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, is pleased to revoke and doth hereby revoke Section (3) of Regulation 12 of the Patents, Designs, Copyright and Trade Mark (Emergency) Order, 1939, (P.C. 3362, dated 27th October, 1939.)

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing drawback of customs duty on woven fabrics
wholly of cotton

P.C. 4422

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports:—

That sub-Item (b) of Drawback Item 1030 authorizes the payment of a drawback of 99 per cent of the customs duty paid on woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards when imported under the British Preferential Tariff and used exclusively in the manufacture of articles enumerated in Tariff Item 236:

That the goods enumerated in Tariff Item 236 are: surgical dressings, antiseptic or aseptic, including absorbent cotton, lint, lamb's wool, tow, jute, oakum, woven fabric of cotton weighing not more than seven and one-half pounds per one hundred square yards, whether imported singly or in combination one with another, but not stitched or otherwise manufactured; surgical trusses and suspensory bandages of all kinds; sanitary napkins, and abdominal supports;

That sub-Item (b) of Drawback Item 1030 has been inoperative since December 2, 1940, the date on which the customs duty was removed on imports of cotton fabrics from the United Kingdom;

That sub-Item (a) of Drawback Item 1030 authorizes the payment of a drawback of 50 per cent of the customs duty paid on materials, n.o.p., when used exclusively in the manufacture of articles enumerated in Tariff Item 236;

That cotton fabric of the type used in the manufacture of surgical dressings is no longer obtainable in the United Kingdom and it is therefore necessary for manufacturers of surgical dressings to procure their requirements of cotton fabric in the United States;

That woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards, imported from the United States are subject to a customs duty of $17\frac{1}{2}$ per cent and 3 cents per pound, but when used exclusively in the manufacture of articles enumerated in Tariff Item 236 a drawback of 50 per cent of the customs duty is provided for under sub-Item (a) of Drawback Item 1030;

That during recent months there has been a marked increase in the price in the United States of woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards;

That the National interest would be best served in the present emergency by increasing from 50 per cent to 99 per cent the amount of drawback

payable on imports from all countries of woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order that a temporary item be, and it is hereby established in Schedule "B" of Customs Tariff providing for a drawback of 99 per cent of the customs duty paid on imported woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards, as set forth hereunder, effective April 1, 1942.

Item No.	Goods	When Subject to Drawback	Portion of Duty (not including Special Duty or Dumping Duty) Pay- able as Drawback
1031	Woven fabrics, wholly of cotton, not bleached, mercerized nor coloured, weighing not more than seven and one-half pounds per one hundred square yards.	When imported and used exclusively in the manufacture of articles enumerated in Tariff Item 236....	99 per cent

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations re sale of War Savings Certificates— sale to any infant or minor

P.C. 4423

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLECY
THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2185 dated May 24, 1940, and amendments thereto, regulations were made with respect to War Savings Certificates;

And Whereas one of the most important classes of purchaser of War Savings Certificates is children, and the Minister of Finance is of the opinion that all steps should be taken to encourage and facilitate their whole-hearted participation in the War Savings Campaign;

And Whereas with that object in view, the National War Finance Committee and the Minister of Finance believe it is desirable to simplify and clarify the regulations under which War Savings Certificates are sold to and redeemed by minors.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the existing Orders in Council and regulations governing the issue, sale and redemption of War Savings Certificates; and they are hereby amended as follows,—

1. Clause 2 (c) of Order in Council, P.C. 2184 dated May 24, 1940, is amended by adding the following:—

“ . . . the War Savings Certificates may, without the authority, aid, assistance or intervention of any other persons or official being required be sold to any infant or minor, whether such person is qualified by law to enter into ordinary contracts or not.”

2. Clause 2 (e) of Order in Council P.C. 2184 dated May 24, 1940, is amended by adding the following:

“The Minister of Finance may redeem hereunder War Savings Certificates registered in the names of infants or minors under and in accordance with the provisions of regulations laid down under this Order.”

3. Regulation 10 of the regulations made by the Minister of Finance with respect to War Savings Certificates and authorized by Order in Council P.C. 2185 of 24th of May, 1940, is rescinded and the following substituted therefor:—

“10. (a) In the case of children under twelve years of age an application for redemption should be made by a letter to the Minister of Finance from the parent or guardian indicating what urgent need of the child requires that his certificate be redeemed and each certificate being presented for redemption must be signed on the reverse side in the space provided by the parent or guardian in his capacity as parent or guardian of the child who is the registered owner:

(b) In the case of children over twelve years of age and under sixteen years of age, an application for redemption before maturity must be accompanied by the same material as is required under paragraph (a) above, and in addition the child who is registered owner of the certificate must sign the reverse side of each certificate in the space provided;

(c) In the case of children over sixteen years of age and under twenty-one, an application for redemption before maturity must be submitted by the child who is registered owner and each certificate being presented for redemption must be signed by the registered owner on the reverse side in the space provided.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending regulations with respect to War Savings
Certificates—redemption**

P.C. 4424

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2185 dated May 24, 1940, and amendments thereto, regulations were made with respect to War Savings Certificates;

And whereas the National War Finance Committee and the Minister of Finance believe that it is desirable and necessary to amend the said regulations by prescribing the procedure for applications for redemption of Certificates before maturity and in particular to eliminate the requirement that the Bank of Canada must either have a record of the signature of the holder or a statutory declaration or other satisfactory evidence to identify the holder.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to revoke Regulation 6 of the regulations governing the issue and redemption of War Savings Certificates made by Order in Council P.C. 2185 dated May 24, 1940, and it is hereby revoked, and the following is substituted therefor:

“6. Redemption:

- (a) in making application for redemption, a registered holder is required to sign the reverse side of the War Savings Certificate in the space provided;
- (b) the Minister reserves the right to require ninety days' notice in case of redemption before maturity.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council

**Order in Council authorizing financial assistance re immediate expansion
of sheep raising in Canada**

P.C. 4427

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 28th May, 1942.

The Committee of the Privy Council have had before them a report dated 19th May, 1942, from the Minister of Agriculture, representing that in view of the greatly increased requirements for wool in Canada, particularly for military purposes, and of the fact that war developments threaten supply lines used for

bringing wool to this continent, the Wool Administrator has made representations urging the necessity of greatly increasing the Canadian sheep population in order that Canada may attain a greater degree of self-sufficiency in wool;

That all Provincial Departments of Agriculture have agreed to co-operate with the Agricultural Supplies Board in a programme of immediate expansion of sheep raising in Canada, with the objective of increasing Canadian sheep holdings by one million head by 1943, and have already taken steps to plan sheep-expansion programmes for their respective Provinces;

That, in support of their programmes, Provincial Departments of Agriculture have asked for financial assistance by the Dominion Government in the transportation of suitable female breeding stock from sheep raisers with surplus ewes or ewe lambs to farmers who are prepared to increase their present flocks or to start new ones;

That, to encourage prospective flock owners to purchase the female stock needed for the establishment of new flocks, it is deemed desirable and expedient to make provisions for loaning, to farmers starting new flocks, rams of the desired type and breeding; and

That to provide for the transportation of female stock it is estimated that the sum of \$100,000 will be required, and to provide for the purchase and distribution of a sufficient number of rams for new flocks it is further estimated that a further sum of \$30,000 will be required.

The Minister, therefore, recommends, on the report of the Agricultural Supplies Board, that authority be granted under the War Measures Act:

- (1) to pay freight charges from points of origin to points of distribution on ewes or ewe lambs purchased for breeding, as follows—
 - (a) on complete carload lots, when shipped in
 - i. double-deck cars, if originating in the Prairie Provinces and shipped to distribution points east of Fort William or in British Columbia,
 - ii. single-deck or double-deck cars if originating in the Prairie Provinces and shipped to distribution points west of Fort William,
 - iii. single-deck or double-deck cars if originating east of Fort William and shipped to distribution points in Eastern Canada,
 - iv. single-deck or double-deck cars if originating in British Columbia and shipped to distribution points within the same Province.
 - (b) on less than carload lots (I.c.I.) for local distribution at points not more than 200 miles from points of origin;
- (2) to the extent that they may be available, to pay costs of purchase and distribution of suitable rams for loaning to farmers starting new flocks of sheep, on the following basis—
 - (a) any farmer starting a flock containing a minimum of 15 females to be loaned a suitable ram for the first two seasons, such ram to remain the property of the Dominion Government,
 - (b) no farmer, however, to be loaned more than one ram, regardless of the size of flock he establishes.

The Minister further recommends that authority be granted for the expenditure out of moneys allotted from the War Appropriation to the Department of Agriculture for the use of the Agricultural Supplies Board of a sum not exceeding \$130,000 for the said purposes.

The Committee concur in the foregoing recommendations and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council

Order in Council creating Capital Account Suspense Fund

P.C. 31/4430

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 27th May, 1942.

The Board had under consideration a memorandum from the Honourable the Minister of Munitions and Supply reporting:

"That Section 3 of The War Appropriation Act, 1941, provided that the Government of Canada may act as the agent of the government of any British or foreign country allied with His Majesty for any purpose which, in the opinion of the Governor-in-Council, will aid directly or indirectly in the prosecution of the war, and that any obligations or costs incurred temporarily or assumed by the Government of Canada in the exercise of the powers thereby conferred may be paid out of any unappropriated moneys in the Consolidated Revenue Fund;

That the said Act also provided that with the approval of the Governor-in-Council, any moneys received as a refund or repayment of any advance, loan or expenditure made under the authority of the said Act or The War Appropriation Acts of 1939 and 1940 may be re-expended, advanced or loaned for the purposes of the said Act;

That it is frequently necessary or desirable that payments be made on account of plant construction and the acquisition of machinery and equipment in connection with various projects in which the Government of the United Kingdom is financially interested, either wholly or in part, in advance of a decision being reached as to the extent to which the costs of such projects respectively are to be borne by that Government and the obtaining of the necessary authorizations with respect thereto, and that it is desirable that the amounts required to enable such payments to be made be advanced by the Canadian Government."

The Board concur in the above report, and recommend that under and by virtue of the powers conferred by the War Measures Act, and all other powers in that behalf, Your Excellency in Council be pleased to order:

1. That there be created a general fund to be designated as the "Capital Account Suspense Fund" for the purposes hereinafter set forth, and that the sum of \$1,000,000 be transferred to the credit of the said Fund out of the Special War Appropriation, 1942.

2. That the Minister of Munitions and Supply be authorized to advance and pay out of the said Capital Account Suspense Fund such amounts as the said Minister may from time to time consider necessary or proper on account of the cost of the construction of plants, the acquisition of machinery and equipment and other expenditures of a capital nature in respect of the expansion of projects which at the time such expenditures are made have been duly approved by the Government of the United Kingdom and also by the Government of Canada if that Government has any financial interest therein, and in which the Government of the United Kingdom is financially interested either in association with the Government of Canada or by itself, under contracts or orders entered into or placed by or on behalf of the said Minister, pending a decision as to the extent to which such costs and expenditures are to be borne by the Government of the United Kingdom and the obtaining of the necessary specific authorizations with respect to such costs and expenditures.

3. That there may be credited to the said Fund all amounts from time to time received from or charged to the Government of the United Kingdom in respect of advances or payments made out of the said Fund for the purposes aforesaid and also all amounts for which specific authorization shall be given from time to time by Your Excellency-in-Council subsequently to such advances or payments as aforesaid having been made, and that all amounts from time to time credited to the said Fund as aforesaid may be re-expended or advanced for the like purposes from time to time as the Minister of Munitions and Supply may from time to time determine.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council establishing procedure re claims arising out of the loss
of registered or insured Postal packets addressed to members
of the Armed Forces**

P.C. 36/4430

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the 27th
May, 1942.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence and the Honourable the Minister of National Defence for Air reporting that:—

1. Instances have occurred, in Canada, where registered or insured postal packets, addressed to members of the Canadian Army and the Royal Canadian Air Force serving in Canada have been lost after they had been delivered by the Postal Authorities to the unit in which the addressee is serving, but prior to the packet in question having been delivered to the addressee in person.

2. It is not always feasible for the Army, Royal Canadian Air Force or other Postal Authorities to deliver such registered or insured mail matter personally to the addressee and obtain his receipt therefor.

3. Of necessity said registered or insured mail matter is delivered to the Orderly Room of the unit or formation concerned by the Army, Royal Canadian Air Force or other Postal Authorities who obtain a receipt therefor from the officer or clerk on duty in the said Orderly Room and further responsibility for the delivery of the said mail to the addressee devolves upon the person signing the receipt, the mail matter in question then being delivered to the respective addressees under unit or formation arrangements.

4. Pursuant to Order in Council P.C. 32/8400 dated 29th October, 1941, cases of the loss of registered or insured mail matter addressed to members of the Canadian Army arising in the United Kingdom or on the Continent of Europe are investigated by the Canadian Claims Commission (Overseas) constituted in pursuance of Order in Council P.C. 29/2544 dated 11th April, 1941, and if in the opinion of the Commission the loss can be traced to the theft by or negligence of the Army Postal Orderly, the Commission certifies accordingly to the Chief Treasury Officer (Overseas) stating the compensation (but not exceeding \$25.00 in respect of the loss of any one packet or the contents thereof) which is payable to the addressee, or to the sender upon the addressee waiving his claim, and upon such certification, payment is made by the Chief Treasury Officer (Overseas).

5. The Postal authorities have fixed a maximum indemnity of \$25.00 in the case of registered matter handled entirely by the Army Postal Service when loss occurs in Great Britain. In the case of loss of registered and insured matter in Canada, the domestic regulations which provide a maximum indemnity of \$25.00, \$50.00, \$75.00, and \$100.00, according to the fee actually paid, apply.

6. By Order in Council P.C. 59/7305 dated 17th September, 1941, the Judge Advocate-General exercises in Canada similar powers to those of the Canadian Claims Commission (Overseas) in respect of minor claims arising out of motor vehicle accidents.

7. Accordingly it is considered desirable that claims arising out of the loss of registered or insured postal packets addressed to members of the Canadian Army and members of the Royal Canadian Air Force serving in Canada should be dealt with by the Judge Advocate-General thereby following in principle the procedure already authorized by Order in Council P.C. 32/8400 in respect of similar losses of registered mail packets addressed to members of the Canadian Army occurring in the United Kingdom.

The Quartermaster General, the Acting Deputy Minister (Army), the Chief of the Air Staff, and the Deputy Minister of National Defence for Air have recommended therefore, that, where the loss of or from a registered or insured postal packet addressed to a member of the Canadian Army serving in Canada takes place in Canada after receipt thereof by the addressee's unit or formation from the Postal Service, and said loss can be traced to the theft by or the negligence of an officer or servant of the Crown, compensation not exceeding the sum of \$100.00 in respect of the loss of any one such registered or insured postal packet or of the contents thereof, shall be payable to the addressee or to the sender upon the addressee waiving his claim, under the following conditions:—

- (a) Each case wherein such loss occurs shall be reported to the Judge Advocate-General.
- (b) The Judge Advocate-General shall have power to cause such investigation as he deems necessary to be carried out in respect of

such loss, and, if in the opinion of the Judge Advocate-General the loss has occurred through the theft or negligence of an officer or servant of the Crown, he shall certify accordingly to the Chief Treasury Officer, stating the compensation which is payable to the addressee, or the sender upon the addressee waiving his claim, and the Chief Treasury Officer shall upon such certification make payment accordingly.

- (c) The Judge Advocate-General shall determine the compensation and payment shall be made on the same scale as would have been paid by the Canadian Post Office Authorities had the said registered or insured postal packet been lost while in the possession of the said Post Office Authorities, the compensation not to exceed \$100.00 in respect of the loss of any one registered article or insured parcel or the contents thereof.
- (d) If the Judge Advocate-General is of the opinion that the officer or servant of the Crown on whose alleged theft or negligence the claim is based is legally liable to reimburse the Crown in respect of any liability which the Crown has assumed by reason of such theft or negligence and the claim has been paid in full or in part a demand shall be made upon such officer or servant for reimbursement in accordance with the following procedure:—
 - (i) The Judge Advocate-General shall forward to the appropriate branch concerned of the Department of National Defence, a statement setting out the reasons why the officer or servant of the Crown is legally liable to reimburse the Crown.
 - (ii) The appropriate officer shall then cause a written demand to be sent to the officer or servant of the Crown concerned incorporating therein the aforesaid reasons of the Judge Advocate-General.
 - (iii) Such demand shall call upon such officer or servant to show cause within one week of the receipt by him of such demand, why he should not be put under stoppages of pay and allowance or other emoluments to reimburse the Crown.
 - (iv) If within the aforesaid period of one week such officer or servant of the Crown fails to show cause why he should not be put under stoppages, as aforesaid, or if purporting to show cause, the reasons which he has advanced are not considered by the Deputy Minister (Army) or the Deputy Minister of National Defence for Air to warrant such officer or servant not being placed under stoppages, as aforesaid, or if after further investigation the Deputy Minister (Army) or the Deputy Minister of National Defence for Air does not consider that satisfactory cause has been so shown, then the said Deputy Ministers may make such orders as to them seem just for the stoppage of all or part of the pay, allowances and other emoluments (other than dependents' allowance, if any, and the amount of pay assigned in connection therewith) granted to, or in respect of, such officer or servant of the Crown for the purpose of paying the amount set out in the order for reimbursement.

The undersigned concur in the aforesaid recommendations and have the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Statute or Law, be pleased to approve the same."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council applying provisions of Post Discharge Re-establishment
Order to salt-water fishermen and seamen generally who are
in receipt of pension**

P.C. 80/4430

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
27th May, 1942.*

The Board had under consideration a memorandum from the Honourable the Minister of Pensions and National Health reporting that:

"Whereas it has been deemed to be expedient and in the public interest to provide, under the authority contained in Order in Council dated the 30th April, 1942 (P.C. 104/3546), for the payment of pension for a person who, while serving upon a ship of Canadian registry or licence, to a Canadian salt-water fisherman who, while serving upon any ship engaged in the Canadian salt-water fishing industry and to a person of Canadian nationality who while serving on any certified non-Canadian ship during the war with the German Reich, suffers disability as a direct result of enemy warlike action or of counter-action taken against the same;

And whereas it is considered that provision should be made whereby such person, so disabled as a result of enemy action or counter-action as to prevent him from resuming his occupation or from following his principal former occupation, should be afforded training for the purpose of re-establishing him in civil life under similar conditions to those which have been made available to a person who has been so disabled while serving in the naval, military or air forces of Canada;

The undersigned has the honour to recommend, therefore, that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding anything to the contrary contained in any other act or regulation, be pleased to approve the following regulation:

REGULATION

1. The provisions of paragraphs 6 and 13 of the Post Discharge Re-establishment Order, dated the 1st day of October, 1941 (P.C. 7633), as amended, shall be applicable to a person who is in receipt of payment of pension in respect of a disability, under the authority contained in Order in Council dated the 30th day of April, 1942 (P.C. 104/3546), which disability, in the opinion of the Minister, prevents such person from resuming his occupation or from following his principal former occupation provided that in so far as the provisions of paragraphs 10 and 11 of the said Post Discharge Re-establishment Order relate to paragraph 6 thereof, "discharge" shall mean the date on which the first payment of pension was issued, and further provided that the "period of service" of such person shall be deemed to have been fifty-two weeks."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council rescinding P.C. 2197, 1st June, 1942—Regulations
respecting manufacture of ice cream

Canada Gazette (Extra), May 30, 1942

P.C. 4478

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 28th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by regulations established under the Dairy Industry Act and under the Food and Drugs Act the minimum milk fat content of plain ice cream is thirteen (13) per centum by weight and the minimum total solids content is thirty-six (36) per centum by weight;

And whereas by regulations established under the Dairy Industry Act the minimum weight of food solids per gallon of plain ice cream is one and nine-tenths (1·9) pounds per gallon of which sixty-five one-hundredths pounds shall be milk fat;

And whereas the Minister of Agriculture reports that large quantities of dairy products in various forms are required by the United Kingdom Ministry of Food;

That there is an increasing demand for dairy products on the domestic market of Canada; and

That it is now expedient and desirable to conserve and control the amount of milk fat used in the manufacture of ice cream thereby making an increased quantity of milk fat available for the manufacture of other essential dairy products;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and the Minister of Pensions and National Health, and under authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order as follows:

1. The Regulations respecting the manufacture of ice cream, established by Order in Council dated the 20th day of March, 1942, P.C. 2197 are hereby rescinded, effective the first day of June, 1942.

2. The following regulations respecting the manufacture and sale of ice cream are hereby made and established:—

1. On and after the first day of June, 1942, no person shall manufacture, import into Canada sell, offer or have in possession for sale:

- (a) ice cream which contains more than ten and one-half (10·5) per centum by weight or less than nine and one-half (9·5) per centum by weight of milk fat;
- (b) ice cream which contains less than thirty-four (34) per centum by weight of food solids;
- (c) ice cream which contains less than one and seven-tenths (1·7) pounds of food solids per gallon of which amount not less than forty-seven one-hundredths (0·47) pounds shall be milk fat;
- (d) ice cream which weighs less than five (5) pounds per gallon.

2. Any person who contravenes these regulations shall be liable on summary conviction to a fine of not less than fifty dollars nor more than two hundred and fifty dollars, or to imprisonment for a term of not less than ten days nor more than two months, or both such fine and such imprisonment.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Regulations respecting Transport Facilities and Equipment

Canada Gazette (Extra), June 11, 1942

P.C. 4487

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 9th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 3677 of November 15, 1939, made under the provisions of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, as amended by Order in Council P.C. 4251 of December 20, 1939, and further amended by Order in Council P.C. 5285 of October 2, 1940, authority was given for the appointment, by the Minister of Transport, of an officer to be known as the Transport Controller to deal with applications made

on behalf of certain governments or agencies mentioned in the said Order in Council P.C. 3677 in order to determine, from time to time, the preference or priority of movement to be given to any class or classes of troops, naval forces, materials or supplies on behalf of such governments or agencies according to the necessities of the case, and also in like manner to deal with such applications as might from time to time be made on behalf of private parties for priority of movement with respect to the transport of materials and supplies between points or places in Canada;

And whereas, pursuant to the provisions of said Order in Council P.C. 3677, T. C. Lockwood, Esq., of the City of Montreal, in the Province of Quebec, General Traffic Manager of the Cunard White Star Line, was appointed as Transport Controller, public notice whereof was published in the Canada Gazette on November 17, 1939;

And whereas the Acting Minister of Transport reports that the Transport Controller is performing essential services in arranging priorities and regulating traffic to enable munitions and supplies to be forwarded to seaboard as required, and that in order to enable the Transport Controller to perform such essential services it is considered necessary to enlarge and extend his powers and authority in accordance with the terms of the regulations hereto appended.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the attached regulations respecting transportation and transport facilities and equipment and they are hereby made and established accordingly.

His Excellency in Council, on the same recommendation, is further pleased to appoint and doth hereby appoint Thomas Clarence Lockwood, Esquire, Transport Controller to administer the said regulations and to exercise the powers therein provided.

His Excellency in Council is further pleased, hereby to grant authority for the appointment, by the Minister of Transport, of such staff and organization as may be required by the Transport Controller, and for the payment of salaries and administration expenses of the Transport Controller and his staff incurred in the exercise of the powers aforesaid, including travelling expenses of the Transport Controller or anyone acting under his authority.

His Excellency in Council is also pleased to revoke and doth hereby revoke Order in Council P.C. 3677, dated November 15, 1939, amended as aforesaid.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

REGULATIONS RESPECTING TRANSPORT FACILITIES AND EQUIPMENT

1. *Interpretation.*

(1) For the purpose of these Regulations and of any Order made under these Regulations unless the context otherwise requires:

- (a) "the Controller" or "the Transport Controller" shall mean the person from time to time appointed Transport Controller by the Governor General in Council, and for the time being in office as such;

- (b) "Deputy Controller" or "Deputy Transport Controller" shall mean any person from time to time appointed a Deputy Transport Controller by the Governor General in Council, and for the time being in office as such;
- (c) "dealing in or with" shall include buying, selling, leasing, hiring, lending, borrowing, exchanging, acquiring, importing, storing, supplying, chartering, operating, delivering, transporting, distributing, dispensing, shipping, conveying, installing or using and "deal in or with" and "dealt in or with" shall have corresponding meanings;
- (d) "equipment" shall mean any property, real or personal, and any goods owned by or under the control of any person for the purpose of operating Transport Facilities and any articles, substances or things which are or can be used to equip Transport Facilities; provided that the Minister may declare any articles, substances or things to be included in or to be excluded from "equipment" for the purposes of these Regulations or any part thereof;
- (e) "goods" shall include any articles, commodities, substances or things;
- (f) "Minister" shall mean the Minister of Transport;
- (g) "order" shall include any permit, regulation, prohibition, direction, requirement, restriction, limitation and instruction issued or made under the authority of these Regulations;
- (h) "person" shall include firm, corporation, co-operative enterprise, company, partnership, association or any other body and the heirs, executors, administrators, receivers, liquidators, curators and other legal representatives of such person according to the laws of that part of Canada applicable to the circumstances;
- (j) "services" shall mean any activities or undertakings sold or supplied by any person owning, operating, controlling or having in his possession any Transport Facilities or equipment or the operation thereof;
- (k) "Transport Facilities" shall mean any property, real or personal, used or useful for or incidental to, the transportation of goods and/or persons by land, water or highway, including any facilities for loading, unloading and/or storing goods and/or persons and any facilities owned or controlled by or in the possession of any person operating Transport Facilities, or owned by or under the control of any person under contract to sell or supply services or equipment to or for the use of any person operating Transport Facilities, and, (without limiting the generality of the foregoing) "Transport Facilities" shall include the following:
 - (i) Railways and the related matters described in Section 4, subsection (1), paragraph (a), sub-paragraphs (i), (ii) and (iii) of these Regulations; and
 - (ii) Ships and water craft of any and every kind; and
 - (iii) Highway facilities and vehicles of any and every kind; and
 - (iv) Storage facilities used or capable of being used in connection with transporting any goods;

provided that the Minister may declare any facilities for transporting goods and/or persons to be included in or excluded from the term "Transport Facilities" for the purpose of these Regulations.

(2) Except as herein otherwise provided His Majesty in right of Canada and His Majesty in right of any province thereof shall be bound by the provisions of these Regulations.

(3) The Interpretation Act R.S.C. 1927, Chapter 1 and any amendments thereto shall extend and apply to these Regulations and to any Order made hereunder as if the said Act were by its terms extended and made applicable to these Regulations and any such Order, except in so far as any provision of the said Act is inconsistent with the intent or object of these Regulations or any such Order, or would give to any word, expression or clause thereof an interpretation repugnant to the subject matter or the context, or is in these Regulations or any such Order declared not applicable thereto.

(4) These Regulations and any Order made under these Regulations shall prevail over the provisions of the Railway Act, the Canada Grain Act and any other Statute or Order in Council and any Regulations or Order made thereunder, regulating or affecting Transport Facilities or equipment or services.

2. Constitution of Transport Controller.

(1) There shall be a Transport Controller appointed by the Governor General in Council who shall have the powers set out in these Regulations.

(2) A Deputy Transport Controller shall have and exercise any and all powers conferred on the Transport Controller subject to any restriction thereof which the Controller may from time to time impose and subject in all cases to review by the Controller provided that any Order of a Deputy Transport Controller shall be final and binding unless and until it has been reviewed and varied or vacated by the Transport Controller.

(3) In carrying out the powers and duties vested in and imposed on the Transport Controller by these Regulations, the Transport Controller shall co-operate with the Canadian Representative of the British Ministry of War Transport and with the Director of the Office of Defence Transportation of the United States of America in all transportation matters of mutual interest to the respective Governments in the prosecution of the war, and shall co-operate with the authorities regulating or directing various Transport Facilities or equipment in Canada with a view to ensuring harmonious and effective action in furtherance of the war program of Canada.

3. Priority of Movement on All Transport Facilities or Equipment.

(1) The Transport Controller shall have power to order any person owning or operating Transport Facilities or equipment to transport in such priority, over other goods and persons, and as between them, as the Controller shall direct;

(a) any goods or persons for or on behalf of, or at the request of the armed forces of Canada or the Allies of Canada or any auxiliary services of such armed forces; and

(b) any goods or persons for or on behalf of, or at the request of His Majesty in right of Canada or any agency thereof or any corporation owned or controlled by His Majesty in right of Canada, or for or on behalf of, or at the request of, any Board or Controller or official given jurisdiction over any goods or services by the Governor General in Council, or by statute of the Parliament of Canada, or by the Order of any such Board or Controller, or for or on behalf of the Government of any of the allies of Canada.

(2) For or incidental to the purpose of transporting or storing any goods or transporting any persons for or at the request of any of the forces, services, Governments, agencies, Boards, Controllers, or other officials mentioned in subsection (1) next preceding, the Transport Controller shall have power:

- (a) To charter, hire, lease or borrow any Transport Facilities or equipment under the authority of the Governor in Council or of the Department for whose account any Transport Facilities or equipment is chartered, hired, leased or borrowed;
- (b) To charter, hire, lease, borrow or requisition or take possession of any space on any Transport Facilities or equipment;
- (c) To rent, lease, hire, borrow, charter, requisition or take possession of any storage facilities, buildings or land, and
- (d) To enter into contracts for loading or unloading or handling, checking, watching, supervising or safe-guarding any goods.

4. *Control of Railway Facilities and Equipment.*

(1) For the purposes of this Section 4, unless the context otherwise requires:

(a) "Railway Facilities" shall mean the following transport facilities, namely:

- (i) Any Railway including electric railways (excepting street railways or tramways), and including all branches, extensions, sidings, stations, depots, wharves, rolling stock, equipment, stores, bridges, tunnels or other structures and any property real or personal and/or works connected therewith; and
- (ii) Any facilities for loading and/or unloading on or from the facilities described in subparagraph (i) next preceding and any storage or Transport Facilities owned by or under the control of any person (including any Railway Express Company), under contract to sell or supply services or equipment to or for the use of any person operating Railway Facilities; and
- (iii) Any storage facilities used or capable of being used with or incidental to the said facilities described in subparagraph (i) of this paragraph (a);

(b) "equipment" shall include any property, including rolling stock, owned by or under the control of any person for the purpose of operating Railway Facilities and any articles, substances or things which are or can be used to equip Railway Facilities; provided that the Minister may declare any articles, substances or things to be included in or to be excluded from "equipment" for the purposes of this section or any part thereof;

(c) "services" shall mean any activities or undertakings, sold or supplied by any person owning, operating, controlling or having in his possession any Railway Facilities or equipment;

(2) The Transport Controller shall have power exercisable from time to time;

(a) To order any person dealing in or with Railway Facilities or equipment to limit, discontinue or cease to operate or to extend, furnish, supply or make use of any Railway Facilities, services, or equipment at such times and places and in the manner directed by the Controller;

(b) To fix specific or maximum or minimum prices at which any services may be sold or offered for sale or supplied by any person owning or operating Railway Facilities or equipment, and to fix specific or maximum or minimum rates, fares or demurrage or penalty charges, and to establish tables or schedules of fares or rates to be charged by any person owning or operating Railway Facilities or equipment for the transportation of goods or persons generally or between specified points,

or for specified distances, or for specified periods of time, and to require any such person to adopt, and to conform to, any such table, or schedule, and to prohibit any sale or supply or charge at variance with any such order; provided that the provisions of this paragraph (b) shall be effective as of and from the 1st day of December, 1939; but provided further that every Order of the Transport Controller hereafter made under this paragraph (b) shall be subject to the concurrence of the Wartime Prices and Trade Board;

- (c) To prohibit, restrict, limit or require the use of any Railway Facilities or equipment by or to any designated person or designated class or group of persons, either generally or at, or between certain specified times or hours, or on certain specified days, or between certain specified places;
- (d) To order or require any persons owning or having power to dispose of, or being in possession of, or dealing in or with any Railway Facilities or equipment to produce to any person authorized in writing for the purpose by the Controller, all or any books, records and/or documents, and to permit the person so authorized to make copies of, or take extracts from the same, and when the Controller deems it necessary to remove and retain any such books, records, and/or documents;
- (e) To order or require any person having power to dispose of, or being in possession of, or dealing in or with Railway Facilities or equipment, or any agent, employee or representative of any such person to furnish, in such form and within such time as the Controller may prescribe, such facts, data or information as the Controller may deem necessary; and the Controller may, at his discretion, require the same to be furnished under oath or affirmation.

5. Breach of Contract Pursuant to Order.

Where any person fails to fulfil any contract or obligation whether made or assumed before or after the effective date of these Regulations, and such failure is due to compliance on the part of such person with any Order made under the authority of these Regulations after such contract or obligation was made or assumed, proof of that fact shall be a good defence to any action or proceeding against such person in respect of such failure.

6. Protection to Controller, Deputy Controller and Agents.

The Controller, any Deputy Controller and any person acting for, or on behalf of, or under the authority of, the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

7. Delegation.

The Transport Controller shall have power to delegate to any person or persons any power granted to the Transport Controller under these Regulations, including any power involving the exercise of a discretion.

8. Penalties.

Any person who contravenes or fails to observe any order of the Controller or a Deputy Controller, or any person acting under the authority of any of them, or who in any manner hinders or obstructs or makes any false statement or representation to, or for the use or information of, or pursuant to any order of, the Controller, a Deputy Controller, or any person acting under the authority of any of them, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding One Thousand Dollars or to imprisonment

for a term not exceeding twelve months, or to both fine and imprisonment, but such person may, at the election of the Attorney General of Canada or of the Province in which the offence is alleged to have taken place, be prosecuted upon indictment, and if convicted shall be liable to a fine not exceeding Five Thousand Dollars, or to imprisonment for a term not exceeding five years, or to both fine and imprisonment; and where the person guilty of an offence is a company or corporation, every person who at the time of the commission of the offence was a director or officer of the company or corporation shall be guilty of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent or that he exercised all due diligence to prevent the commission of such offence, and any person who aids or abets any offence by a company or corporation, whether or not he is an officer or a director thereof, shall be guilty of such offence as a principal.

Order in council exempting coke from customs duties

P.C. 4488

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 28th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas coke, n.o.p. is admitted duty free when imported from countries entitled to British Preferential Tariff treatment, but a customs duty of \$1.00 per ton and a war exchange tax of 10 per cent ad valorem apply to imports from countries the products of which are subject to Intermediate or General Tariff treatment;

And whereas the Coal Administrator is of the opinion that during the coming season there may be an opportunity to import coke from the United States to supply part of the demand in the domestic market;

And whereas the removal of the customs duty and war exchange tax on imports of coke from the United States would make it possible to sell this product under the ceiling price without the aid of a subsidy;

And whereas The Wartime Prices and Trade Board recommends that imports of coke, n.o.p. be exempt from the payment of customs duty and war exchange tax;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered that imports under Tariff Item 587, the Item covering "coke, n.o.p.", when originating in countries entitled to Intermediate or General Tariff treatment be exempt from the customs duty of \$1.00 per ton and the war exchange tax of 10 per cent ad valorem, effective May 1, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council

Order in Council exempting copra or broken cocoanut meat
from customs duty

P.C. 4489

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 28th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas copra or broken cocoanut meat, not shredded, desiccated or prepared in any manner is admitted duty free when imported from countries entitled to British Preferential Tariff treatment, but a customs duty of $\frac{3}{4}$ cent per pound and a war exchange tax of 10 per cent ad valorem apply to imports from countries the products of which are subject to Intermediate or General Tariff treatment;

And whereas in addition to the customs duty and war exchange tax the special excise tax of 3 per cent applies to imports of copra or broken cocoanut meat, not shredded, desiccated or prepared in any manner from countries the products of which are subject to General Tariff treatment;

And whereas The Wartime Prices and Trade Board recommends that all imports of copra or broken cocoanut meat as described above be exempt from customs duties and taxes;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered,—

1. That "copra or broken cocoanut meat, not shredded, desiccated or prepared in any manner" when imported from countries the products of which are subject to Intermediate or General Tariff treatment be exempt from the customs duty of $\frac{3}{4}$ cent per pound and the war exchange tax of 10 per cent ad valorem;

2. That "copra or broken cocoanut meat, not shredded, desiccated or prepared in any manner" when imported from countries the products of which are subject to General Tariff treatment be exempt from the special excise tax of 3 per cent; and

3. That the aforementioned exemptions from customs duty, war exchange tax and special excise tax be made retroactive to April 1, 1942.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council exempting tin in blocks, pigs or bars from customs duties

P.C. 4490

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 28th day of May, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas tin, in blocks, pigs or bars is admitted duty free when imported from countries entitled to British Preferential Tariff treatment, but a customs duty of 5 per cent ad valorem and a war exchange tax of 10 per cent ad valorem apply to imports from countries the products of which are subject to Intermediate or General Tariff treatment;

And whereas in addition to the customs duty and war exchange tax the special excise tax of 3 per cent applies to imports of tin, in blocks, pigs or bars from countries the products of which are subject to General Tariff treatment;

And whereas The Wartime Prices and Trade Board recommends that all imports of tin, in blocks, pigs or bars be exempt from customs duties and taxes;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered,—

1. That "tin, in blocks, pigs or bars" when imported from countries the products of which are subject to Intermediate or General Tariff treatment be exempt from the customs duty of 5 per cent ad valorem and the war exchange tax of 10 per cent ad valorem;

2. That "tin, in blocks, pigs or bars" when imported from countries the products of which are subject to General Tariff treatment be exempt from the special excise tax of 3 per cent; and

3. That the aforementioned exemptions from customs duty, war exchange tax and special excise tax be made retroactive to May 1, 1942.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council exempting hatters' furs not on the skin from
customs duties

P.C. 4525

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 29th day of May, 1942

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas hatters' furs, not on the skin, are admitted duty free from all countries but a war exchange tax of 10 per cent ad valorem applies to imports from countries the products of which are subject to Intermediate or General Tariff treatment;

And whereas the Minister of Finance reports that there has been a marked increase during recent months in the price of hatters' furs;

That the removal of the war exchange tax on imports of hatters' furs would probably enable hat manufacturers to produce their finished product and sell under ceiling prices without the aid of a subsidy; and

That The Wartime Prices and Trade Board recommends that imports of hatters' furs, not on the skin be exempt from the war exchange tax of 10 per cent ad valorem;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered that imports of hatters' furs, not on the skin when originating in countries entitled to Intermediate or General Tariff treatment be exempt from the war exchange tax of 10 per cent ad valorem; effective February 2, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing form of "Applicant for Enlistment" Badge

Canada Gazette, July 11, 1942

P.C. 4697

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 19th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council P.C. 7893 of October 11, 1941, which authorizes an "APPLICANT FOR ENLISTMENT" Badge and establishes regulations governing the distribution and issue of the said Badge does not provide for a Badge bearing a French inscription equivalent to the meaning of the English inscription "APPLICANT FOR ENLISTMENT" on the face of the Badge, and "PENALTY FOR MISUSE 500 DOLLARS OR SIX MONTHS IMPRISONMENT" on the reverse side;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, is pleased to amend Order in Council P.C. 7893 of October 11, 1941, and it hereby amended by the revocation of paragraph 16 thereof and the substitution in lieu thereof of the following:

"16. The following shall be the form of Badge authorized by this Order in Council:—

"APPLICANT FOR ENLISTMENT" Badge: A badge of gilding metal or copper finished in silver or rhodium plate with shank and back, within an oval annulus inscribed "APPLICANT FOR ENLISTMENT" "CANADA" or "ASPIRANT A L'ENROLMENT" "CANADA"; a maple leaf in red enamel. The serial number stamped on reverse, together with the words in raised letters; "PENALTY FOR MISUSE 500 DOLLARS OR SIX MONTHS IMPRISONMENT" or "AMENDE 500 DOLLARS OU SIX MOIS D'EMPRISONNEMENT POUR PORT ILLEGAL". Height $1\frac{3}{8}$ inch. Width $\frac{23}{32}$ inch."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 9794, 16th December, 1941—assistance to the movement of coal mined in Alberta and Crowsnest Pass District

P.C. 4740

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council P.C. 9794 of the 16th day of December, 1941, authorizes assistance to the movement of coal mined in the Province of Alberta and the Crowsnest Pass District of the Province of British Columbia and shipped to consuming points in the Province of Ontario;

And whereas the Minister of Finance reports that the provisions of Section 3 (a) of the said Order in Council P.C. 9794 of the 16th day of December, 1941, do not provide sufficient flexibility and result in rates of subvention which are in some instances markedly in excess of the difference in laid down costs of the Canadian and imported coals.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, is pleased to amend the aforesaid Order in Council P.C. 9794 of December 16, 1941, and it is hereby amended by revoking Section 3 (a) thereof and substituting the following therefor,—

3. (a) When shipped direct to consumers, and not for resale, the assistance granted shall be the difference in amount per net ton between the laid down cost of Alberta or Crowsnest Pass District of British Columbia coal at points of consumption and the laid down cost at the same points of United States coal that would otherwise be used, up to

a maximum of twenty-five per cent (25%) of the tariff freight rate in effect at the time of shipment; the amount of the said reduction to be payable to the railway which shipped such coal.

His Excellency in Council, on the same recommendation, is further pleased to order and doth hereby order that the assistance made available under the provisions hereof shall be payable on movements of coal covered by acceptances issued on and after the tenth day following the date of approval hereof, except that with respect to acceptances still in effect under authority of Section 3 (a) of said Order in Council P.C. 9794, of 16th December, 1941, shipments shall be continued under authority of such acceptances until completed.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving an Agreement with the British Columbia Fruit Board

Canada Gazette (Extra), June 6, 1942

P.C. 4747

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of June, 1942.

PRESENT:

**HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:**

Whereas by Orders in Council dated the 27th day of October, 1939, P.C. 3349, the 7th day of September, 1940, P.C. 4493, and the 25th day of June, 1941, P.C. 1/4600, under the authority of the War Measures Act, agreements with respect to the marketing of apples grown in the Okanagan Valley of the Province of British Columbia during the years 1939, 1940 and 1941, respectively, were approved:

And whereas the Minister of Agriculture reports that by reason of the loss of export markets and other restrictions consequent upon the war, it is desirable and expedient to assist the growers of apples in the Okanagan Valley to market their 1942 crop; and

That it is estimated, on the basis of the quantity of apples likely to be subject to the provisions of the agreement, the sum of \$1,265,900 may be required.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased, hereby, to approve the attached agreement and to authorize the execution thereof by the Minister of Agriculture.

His Excellency in Council is further pleased to authorize and doth hereby authorize the expenditure of \$1,265,900, for the aforesaid purpose, chargeable to moneys allotted to the Department of Agriculture from the War Appropriation.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

MEMORANDUM OF AGREEMENT entered into this day of ,
A.D. 1942.

BETWEEN:

British Columbia Fruit Board, a body politic under the Natural Products Marketing (British Columbia) Act and having its head office in the City of Kelowna, in the Province of British Columbia, hereinafter called the "Board"

OF THE FIRST PART

—and—

His Majesty, the King, in right of Canada and herein represented by the Honourable the Minister of Agriculture, hereinafter called the "Minister"

OF THE SECOND PART

Whereas because of losses of export markets and other restrictions resulting from the war the Board is confronted as in the seasons of 1939, 1940 and 1941 with the practical impossibility of marketing a substantial portion of the apples grown in British Columbia in 1942 which normally would be marketed in countries at present in the war zone;

And whereas the Minister has been authorized under the War Measures Act to enter into an agreement with the Board to safeguard the growers in part against losses which otherwise seem inevitable;

Now therefore in consideration of these presents the parties hereto covenant and agree each with the other as follows:—

1. (a) "Apples" means apples grown in the Okanagan Valley in the year 1942;
- (b) "Okanagan Valley" means that part of the Province of British Columbia lying east of the 121st meridian of west longitude and south of the 51st parallel of north latitude.
2. The Board covenants and agrees—
 - (a) that all sales of apples in Canada for fresh consumption shall be at prices authorized by the Minister for respective varieties, grades and packs;
 - (b) during the autumn months to feature in Western Canada the sale of unwrapped packs, and to explore the possibilities of bulk shipping and marketing;
 - (c) to receive for the account of the growers or growers' agents all moneys paid by the Minister for apples under the terms of this Agreement;
 - (d) to conduct a pool for the distribution of all moneys paid by the Minister together with all moneys received from sales of apples and after deducting all necessary and proper disbursements and expenses and such compensation as may be determined by the Board for apples excluded from marketing, to make payment to the growers or the growers' agents in accordance with a scheme of distribution determined by the Board which shall be on the basis of like returns for apples of the same variety, grade, size, marketability and packing costs;
 - (e) to obtain the Minister's approval of storage charges to be levied against the pooled returns from sales;
 - (f) to maintain detailed records of all sales of apples and all moneys received therefor together with such supporting vouchers as may be necessary for the purposes of any audit which may be required.

3. The Minister agrees to assist in the marketing of a maximum quantity of 4,750,000 boxes of apples, less any quantity sold by the Board outside of Canada, by paying to the Board the sum or amount by which the f.o.b. value of all sales by the Board in Canada for fresh consumption at prices authorized by the Minister totals less than an average of \$1.25 per box of wrapped pack and \$1.15 per box of unwrapped pack for a total quantity of 4,500,000 boxes less any quantity sold by the Board outside of Canada, and the sum or amount by which the f.o.b. value of any additional such sales not exceeding 250,000 boxes totals less than an average of \$1.00 per box.

4. The Minister further agrees to purchase from the Board up to 2,240,000 pounds of Choice Quality evaporated apple, 22% moisture, resulphured, packed for export, at 11c per pound f.o.b. shipping point.

5. Notwithstanding anything contained in Clause 3 hereof the Minister may suspend payment of part or the whole of any account pending investigation as to the quantity or quality of any delivery of apples.

6. Further notwithstanding anything contained in Clause 3 hereof, if the Board fails to follow any instructions given by the Minister under this agreement as to the marketing of apples or if there is any unreasonable failure on the part of the Board to further the purposes of this Agreement or to ensure the maximum enjoyment of its benefits by growers and consumers, the Minister may penalize the Board by reducing the price basis under Clause 3 hereof by such amount as he deems fair and just.

In witness whereof the parties hereto have hereunto set their hands and seals.

.....
British Columbia Fruit Board.

.....
Minister of Agriculture.

Order in Council establishing regulations under War Measures Act with respect to the British Columbia Fruit Board

Canada Gazette (Extra), June 6, 1942

P.C. 4748

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Orders in Council, under the authority of the War Measures Act, certain powers and authority were extended to the British Columbia Fruit Board with respect to the marketing of apples grown in the Okanagan Valley of the Province of British Columbia in the years 1939, 1940 and 1941

And whereas by Order in Council dated the 5th day of June, 1942, P.C. 4747, the agreement between His Majesty the King and the said Board, with respect to the marketing of apples grown in the year 1942, was approved;

And whereas the Minister of Agriculture reports that the powers and authority vested in the Board under the attached regulations, which are similar to those approved in previous years, are essential to enable the Board properly to perform its obligations and otherwise to comply with the provisions of the said agreement;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased to make the attached regulations and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

REGULATIONS UNDER THE WAR MEASURES ACT WITH RESPECT TO THE BRITISH COLUMBIA FRUIT BOARD

Definitions

1. In these regulations, unless the context otherwise requires,—
 - (a) "Apples" means apples grown in the Okanagan Valley in the year 1942;
 - (b) "Board" means the British Columbia Fruit Board;
 - (c) "Okanagan Valley" means that part of the Province of British Columbia lying east of the 121st meridian of west longitude and south of the 51st parallel of north latitude.

Powers of the Board

2. (i) The Board shall have the exclusive right to sell, ship or transport apples for delivery outside of the Okanagan Valley or to designate the agency by or through which apples may be so sold, shipped or transported, and to determine the charges that may be deducted by any such agency.
- (ii) The Board shall be exclusively entitled to receive payment of the sale price of all apples sold, shipped or transported for delivery outside the Okanagan Valley after the coming into force of these regulations and the Board is duly authorized on receiving payment to give release of all claims made or to be made in respect of the sale price of apples so sold, shipped or transported.
- (iii) The Board shall be entitled to recover any moneys hereafter paid to any person other than the Board on account of the sale price of apples sold, shipped or transported for delivery outside the Okanagan Valley.

Pooling of Receipts

3. (i) The Board shall have authority to conduct a pool for the distribution of all moneys paid by the Minister together with all moneys received from sales of apples and after deducting all necessary and proper disbursements and expenses and such compensation as may be determined by the Board for apples excluded from marketing, to make payment to the growers or the growers' agents in accordance with a scheme of distribution determined by the Board which shall be on the basis of like returns for apples of the same variety, grade, size, marketability and packing costs;
- (ii) No shipper shall be entitled to receive or claim from the Board any sum of money for apples other than on the basis of the scheme of distribution of pool moneys as determined by the Board.

Processing and Export of Apples

4. (i) No person other than the Board shall sell, ship or export apples for delivery out of the Okanagan Valley.
- (ii) All apples of a kind grown in the Okanagan Valley and found in or exported from the Okanagan Valley, shall be deemed to have been grown in the Okanagan Valley unless otherwise proven.
- (iii) No person shall use any apples, including culls, grown in the Okanagan Valley for processing except such as may be sold to him by the Board for that purpose.

Inspection Certificates

5. Notwithstanding anything contained in the Fruit, Vegetables and Honey Act or any regulations made thereunder, no inspection certificate shall be issued under the Fruit, Vegetables and Honey Act to any person other than the Board or a nominee of the Board.

6. Every person shall be guilty of an offence and liable on summary conviction to a fine of not less than Fifty Dollars and not more than One Hundred Dollars for a first offence, and to a fine of not less than One Hundred Dollars and not more than Two Hundred Dollars for a second or subsequent offence, and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid, who contravenes any provision of these regulations.

7. These regulations shall come into force on the date of publication in the *Canada Gazette*.

Order in Council authorizing continuation of freight assistance *re* Western grains and millfeeds shipped into British Columbia

P.C. 4781

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 28th day of October, 1941, P.C. 8396, as amended, under the authority of the War Measures Act, regulations respecting the payment of Freight Assistance on Western grains and millfeeds shipped into Eastern Canada and distributed prior to July 1st, 1942, for use exclusively as feed for live stock and poultry were established

And whereas by Order in Council dated the 20th day of March, 1942, P.C. 2163, similar assistance was extended with respect to Western grains and millfeeds shipped prior to July 1st, 1942, into British Columbia, for the same purposes

And whereas the Minister of Agriculture reports that since the above Policies came into effect price levels for animal products in Canada have more or less been set under agreements entered into with the United Kingdom Ministry of Food respecting pork products, dairy products and poultry products on the one hand, and by price ceilings established in the domestic market on the other hand

That to remove the Freight Assistance on the transportation of feeds to destinations in Eastern Canada or in British Columbia would result in increased costs in these areas of all feeds and grains covered by the Policies to the extent of the Freight Assistance allowed, particularly since minimum prices for oats and barley have now been established, higher prices have been authorized for wheat deliveries during the 1942-43 crop year than had heretofore prevailed, and the probability being that prices of feeds in general will persist at, or close to, price ceiling levels while wartime conditions prevail;

That a rise in feed prices in Eastern Canada, and in British Columbia, by the amount by which they are now reduced through Freight Assistance might cause many feeders to discontinue the feeding of grains and millfeeds on which Freight Assistance has been allowed, and that this, in turn, would cause a reduction in the output of animal products urgently needed to meet wartime commitments to the United Kingdom, and to satisfy the requirement of the domestic market; and

That it is expedient and desirable, under the circumstances, to continue the above Assistance to feeders of live stock and poultry.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased to authorize and doth hereby authorize the continuation of the said Policies as established in the said Regulations, with effect from the First day of July, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting imports of Bibles from war exchange tax

P.C. 4784

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that Bibles are not printed in Canada;

That Bibles are imported mainly from the United Kingdom and the United States;

That imports of Bibles from the United States or any other country not entitled to British Preferential Tariff treatment are subject to the war exchange tax of 10 per cent;

That Bibles imported into Canada have always been exempt from customs duty, sales tax and special excise tax; and

That a considerable number of the Bibles imported are now being donated by various organizations to military camps, air force training schools and the Canadian navy.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that imports of Bibles, when originating in countries entitled to Intermediate or General Tariff treatment be exempt from the war exchange tax of 10 per cent ad valorem, effective June 1st, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council granting licence to United States vessels using otter or other trawl of a similar nature

P.C. 29/4860

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 9th June, 1942.

The Board had under consideration the following memorandum from the Honourable the Minister of Fisheries:

"The undersigned has the honour to report that existing fishing equipment on the Atlantic coast of Canada fails, to a large extent, to provide the quantities of fresh and frozen fish required, first to meet the needs of the Ministry of Food of the United Kingdom, secondly, the home market and thirdly, the export market, particularly in the United States.

The Fisheries Act requires that a vessel using an 'otter' or other trawl of a similar nature, may only be operated from a Canadian port, or ports, if it is registered as a British ship in Canada and is owned by a Canadian or by a body corporate incorporated under the laws of the Dominion of Canada or of one of the Provinces thereof.

The General Seafoods, Limited, of Halifax, requests permission to bring to Canada, not more than five United States steam trawlers, that they be permitted to operate these vessels from Canadian ports, and that customs duty and excise taxes ordinarily payable on fish landed in Canada from these United States fishing vessels be remitted.

The undersigned, keeping in mind the urgent need for large additional supplies of fish and the inability of present equipment in Canada to produce these supplies, is satisfied that additional trawler facilities are required to assure maintenance of the supply of fresh fish which is necessary for the security, defence and welfare of Canada, and that it is not possible to obtain by charter or purchase any suitable vessel of British Registry, that not more than five United States trawlers should be permitted to operate from Canadian Atlantic ports. He has further the honour to recommend, with the concurrence of the Secretary of State for External Affairs, and the Minister of National Revenue, that, pursuant to Section 2 of the Customs and Fisheries Protection Act, R.S. 1927, Chapter 43, authority be given for the issuing of licences, to not more than five United States fishing trawlers to be effective to and including March 31, 1943, to fish for, take, dry or cure, any fish of any kind whatsoever in British waters within three marine miles of any of the coasts, bays, creeks or harbours of Canada not included within the limits specified and described in the first article of the Convention between his late Majesty, King George III and the United States of America, made and signed at London on the twentieth day of October, one thousand eight hundred and eighteen, the operations under such licences to be confined to the Atlantic coast of Canada.

The undersigned has further the honour to recommend, under authority of the War Measures Act, that customs duties and taxes ordinarily payable on fish, and products of the fisheries, landed in Canada from not more than five United States fishing vessels during the period of operation under licence as provided for in the preceding paragraph, be remitted.

The undersigned has further the honour to recommend, under authority of the War Measures Act, that the provisions of Subsection (2) of Section 56 of the Fisheries Act, 22-23 George V, Chapter 42, be waived to enable the licensing of not more than five United States vessels to be licensed as

vessels using an 'otter' or other trawl of a similar nature so long as the vessels are licensed to fish in Canadian waters pursuant to the provisions of the Customs and Fisheries Protection Act."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 36/4430, 27th May, 1942—procedure *re* claims arising out of the loss of registered or insured Postal Packets

P.C. 45/4860

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 9th June, 1942.

The Board recommend that Order in Council P.C. 36/4430 dated the 27th May, 1942, be amended by inserting in the paragraph immediately following Paragraph 7, after the words "to a member of the Canadian Army serving in Canada" the words "or to a member of the Royal Canadian Air Force serving in Canada".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing procedure *re* claims for benefit under the Unemployment Insurance Act by former temporary employees of the Public Service of Canada

P.C. 104/4860

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 9th June, 1942.

The Board had under consideration a submission from the Minister of Labour reporting:—

1. That contributions under the Unemployment Insurance Act were not paid in respect of temporary employees in certain branches and departments of the Public Service of Canada during certain periods of their employment subsequent to June 30th, 1941;

2. That several persons who were employed in the Public Service of Canada have become unemployed and have registered claims for benefit under the Unemployment Insurance Act;

3. That by reason of the fact that contributions as required by the said Act were not paid for certain periods of the employment of such persons, these claimants have an insufficient number of contributions recorded in their insurance books and benefit is not therefore payable.

The Board concur in the above report and recommend that if any person establishes to the satisfaction of the Unemployment Insurance Commission on a claim for benefit that he was, during any period subsequent to June 30th, 1941, employed in the Public Service of Canada and was an insured person under the provisions of the Unemployment Insurance Act and that contributions, under the provisions of the said Act, were not made in respect of his employment during any period of the said employment, the department, branch or agency of the Public Service of Canada by which such person was employed shall on the request of the Unemployment Insurance Commission forthwith pay to the said Commission the amount of the employer's and employee's contributions under the said Act, for the period during which contributions have not been paid.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulations—evacuation
of civilians from certain areas in Canada**

Canada Gazette (Extra), June 19, 1942.

P.C. 4879

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 15th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the Defence of Canada Regulations (Consolidation), 1941, the Minister of Pensions and National Health is responsible for certain aspects of civilian protection and security in the event of hostile action directed against Canada;

And whereas under the said Regulations the Minister of National Defence is empowered to order the evacuation of civilians from areas in Canada if it appears to him to be necessary or expedient so to do;

And whereas it is deemed advisable, by reason of the state of war now existing, for the security, defence and welfare of Canada, that the powers and responsibilities of the Minister of Pensions and National Health be enlarged to enable him to order the evacuation of civilians from areas in Canada if at any time, in his opinion, it is necessary or expedient so to do, and to empower him to supervise and control the evacuation of such civilians, and the evacuation of civilians from areas with respect to which the Minister of National Defence has made an order for such evacuation;

And whereas, it is also deemed advisable for the reasons aforesaid, that the Minister of Pensions and National Health be empowered to take necessary steps for the accommodation and protection of persons so evacuated and of their property;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of

Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation), 1941, and they are hereby amended by adding thereto after Regulation 32 the following Regulations:

32A. (1) The Minister of Pensions and National Health or any person authorized by him to act under this Regulation may, if it appears to him to be necessary or expedient so to do for the purpose of protecting persons or property from any danger, real or apprehended, arising, or which, in the opinion of the said Minister or of any person so authorized, may arise out of any activities of the enemy, or which may assist the enemy, make, as respects any area in Canada, an order directing that after such time as may be specified in the order, no person other than a person of such a class as may be so specified, shall be in that area without the permission of such authority or person as may be so specified.

(2) Notwithstanding anything to the contrary contained in this Regulation, any order made by the Minister of Pensions and National Health, or by such person or persons as may be authorized by him, which may affect, or in any way relate to, the Naval, Military or Air Services shall only be made with the concurrence of the Minister of National Defence, the Minister of National Defence for Naval Services, or the Minister of National Defence for Air, as the case may be.

32B. (1) The Minister of Pensions and National Health or any person authorized by him to act under this Regulation shall take such action as may appear to him to be necessary or expedient to effect compliance with any order made under Regulation 32 or 32A of these Regulations, and for such purpose may, in respect of any person in any area in respect of which any such order has been made, who is not permitted by or pursuant to such order to be in such area order his detention and removal therefrom.

(2) Any person reasonably believed by any peace officer or by any other person named by the Minister of Pensions and National Health or by any person authorized by the said Minister to act under this Regulation for the purpose of enforcing any orders made under Regulation 32 or 32A of these Regulations or made under paragraph (1) of this Regulation, to be contravening any such order, may, without prejudice to any other proceedings which may be taken against him, be detained in such area and removed therefrom by such peace officer or other person.

32C. The Minister of Pensions and National Health or any person authorized by him to act under this Regulation may, in respect of any persons affected by any order issued under Regulation 32 or 32A of these Regulations, or in respect of any persons who, in the opinion of the Minister or of any person so authorized, are involved in any voluntary general movement from any area in Canada due to attack by the enemy, make all such orders as may be deemed by him to be reasonably necessary for the purpose of securing accommodation for any such persons or for the maintenance and protection of their physical well-being or for the protection of their property, and without restricting the generality of the foregoing, may,—

- (a) order occupiers of premises in Canada to furnish in such premises such accommodation and food for such persons aforesaid, as may be specified;
- (b) order occupiers of premises in Canada to assume certain responsibility in circumstances specified in such order, for the feeding and care of any children or aged or infirm persons accommodated therein under any such order.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing The Manning Pools (Alien Merchant Seamen) Order, 1942

P.C. 4924

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 15th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport, with the concurrence of the Secretary of State for External Affairs and the Minister of National Defence for Naval Services, reports:—

That due to the hazards of navigation, the enemy occupation of Allied countries and the exigencies attendant upon the operation of shipping, there are and will continue to be present in Canada during the war a number of alien seamen and, in consequence, provision is required for their maintenance, accommodation, discipline and administration for the purpose of affording a reserve of said seamen for the manning of ships of their own and other nationalities thereby avoiding delay in the despatch of ships vital to the efficient prosecution of the war;

That if for this purpose manning pools are established, the same should be operated at the cost and expense of the foreign power establishing each such pool but generally in accordance with the principles set out in Order in Council, dated 19th May, 1941, P.C. 14/3550, under the general supervision and control of the Director of Merchant Seamen; that in matters relating to the internal discipline, administration and government of such manning pools the same should be governed by the laws of the foreign power which established the pool in question; and that the provisions of The Merchant Seamen Order, 1941, as from time to time amended, should be made applicable to such manning pools and persons carried on the strength of such manning pools as aforesaid, including the Director or other person in charge thereof and persons on the staff thereof;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, with the concurrence as aforesaid and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make and doth hereby make the following order:—

1. This order may be cited as The Manning Pools (Alien Merchant Seamen) Order, 1942.

2. In this Order unless the context otherwise requires:—

- (a) "Foreign Power" means any foreign power other than one specifically excepted by order of the Governor in Council.
- (b) "Manning Pool" means and includes a manning pool established in pursuance of this Order and any establishment in Canada maintained for the reception of and occupancy by merchant seamen of any foreign power, as defined in the last preceding sub-paragraph.
- (c) "Person carried on the strength of a manning pool" means a person accommodated in a manning pool or one who, in lieu of being so accommodated, receives from a manning pool a money allowance.
- (d) "Director of Merchant Seamen" means the officer appointed as Director of Merchant Seamen in pursuance of Order in Council, dated the 19th May, 1941, P.C. 14/3550.

A foreign power may, with the consent in writing of the Director of Merchant Seamen, establish a manning pool in Canada for the purpose of providing accommodation on shore for merchant seamen who are nationals of such foreign power and, subject to the provisions of this Order, the Director or other person in Charge of such manning pool may, with respect to persons carried on the strength of such manning pool, exercise within Canada in relation to such persons in matters concerning discipline and internal administration, all such powers as are conferred upon such Director or other person in charge of such manning pool by the law of the foreign power establishing such manning pool;

Provided that such Director or other person in charge of any such manning pool shall not have jurisdiction in respect of any act or omission which constitutes an offence under any Dominion or Provincial law;

And provided further that any such Director or other person in charge of a manning pool acting under or pursuant to the provisions of this section shall only have jurisdiction to punish any person carried on the strength of a manning pool for an offence which, under the law of the foreign power establishing said manning pool, is an offence for which a national of that power may be so punished.

4. (1) Nothing in the last preceding section shall affect the jurisdiction of any Court in Canada to try any person carried on the strength of a manning pool under this Order for any act or omission constituting an offence under any Dominion or Provincial law.

(2) If any person carried on the strength of a manning pool in pursuance of this Order is, by virtue of the last preceding section, awarded a punishment by the Director or other person in charge of a manning pool and is afterwards tried by any such Court as aforesaid in respect of any act or omission which constituted the offence for which he has been so punished, the Court shall, in awarding punishment in respect of that act or omission, have regard to any punishment imposed by the Director or other person in charge of said manning pool.

5. The Director or other person in charge of a manning pool exercising jurisdiction by virtue of this Order and witnesses appearing before any such Director or person shall enjoy the like immunities and privileges as are enjoyed by a Court of competent jurisdiction by virtue of the laws of Canada and by witnesses appearing before such Court.

6. When a Director or other person in charge of a manning pool has awarded punishment to a person on the strength of said pool, then, unless the contrary be shown, for the purpose of any legal proceedings within Canada the Director or other such person in charge of a manning pool shall be deemed to have been acting with due authority and the proceedings shall be deemed to have been regularly conducted and the punishment shall be deemed to be within the jurisdiction of the Director or other person in charge of said manning pool and in accordance with the law of the foreign power establishing said manning pool and, if executed according to the tenor thereof, shall be deemed to have been lawfully executed, and any person carried on the strength of a manning pool who is detained in custody in pursuance of any said punishment or pending the determination of the same by the Director or other person in charge of a manning pool dealing with the case, shall for the purposes of any such proceedings as aforesaid be deemed to be in lawful custody.

7. Notwithstanding anything to the contrary contained in the laws of the foreign power which establishes a manning pool in pursuance of this Order, it shall not be lawful for the Director or other person in charge of

such manning pool to award to a person carried on the strength of said manning pool a punishment involving penal servitude or imprisonment; provided that this restriction shall not extend to a punishment of detention to be carried out in a place of detention established within such manning pool in pursuance of the laws of the said foreign power.

8. The Director of Merchant Seamen shall exercise general supervision and control in respect of all manning pools established in pursuance of this Order, and of his own motion or at the request of the Director or other person in charge of a manning pool so established the Director of Merchant Seamen may take or cause to be taken, in respect of said manning pool and of any person carried on the strength thereof, such action as he could take or cause to be taken in respect of a manning pool established in pursuance of Order in Council, dated 19th May, 1941, P.C. 14/3550, and of any person carried on the strength thereof;

Provided always that in respect of any person carried on the strength of any such manning pool any action which the Director of Merchant Seamen may take or cause to be taken shall not extend beyond that which, under the law of the foreign power establishing said manning pool, may be taken by the Director or other person in charge thereof.

9. Notwithstanding anything to the contrary contained in this Order, the Merchant Seamen Order, 1941, as made and established by Order in Council, dated 4th April, 1941, P.C. 2385, and all amendments from time to time made thereto, shall apply to all manning pools established in pursuance of this Order, to persons carried on the strength thereof, to Directors or other person in charge thereof and to members of the staffs thereof as if such manning pools and all such persons aforesaid were "manning pools" and "seamen" respectively within the meaning of the said The Merchant Seamen Order, 1941, as amended.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulation No. 35—
preventing or minimizing the spread of fires**

Canada Gazette (Extra), June 18, 1942

P.C. 4933

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of June, 1942.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is advisable that the powers and responsibilities of the Minister of Pensions and National Health be enlarged—by amendment to Regulation 35 of the Defence of Canada Regulations (Consolidation) 1941—to enable him to make orders for the prevention and minimizing of fires which may occur due to enemy action or counter-action.

Therefore, His Excellency, the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding to paragraph (1) of Regulation 35 thereof the following sub-paragraph:

- (f) For preventing or minimizing the spread of fires due to enemy action or counter-action by such means as the Minister or such other persons so authorized deems necessary and, without restricting the generality thereof, for compelling owners, lessees and occupiers of buildings and other premises—
- (i) to furnish and maintain such equipment, materials and facilities as may be prescribed for the prevention or extinguishment of fires;
 - (ii) to remove or remedy any condition which may be deemed by the Minister, or by such other person so authorized, to be a fire hazard;
 - (iii) to organize and carry out training in fire fighting and fire practices by their employees in respect to such buildings or other premises, and
 - (iv) to maintain fire watchmen and spotters in or upon such buildings or premises.

(Sgd.) **A. D. P. HEENEY,**
Clerk of the Privy Council.

Order in Council establishing Interdepartmental committee on matters relating to Merchant Seamen

P. C. 4970

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 15th June, 1942.

The Committee of the Privy Council have had before them a joint report, dated 30th May, 1942, from the Acting Minister of Transport and the Minister of National Defence for Naval Services, representing that numerous questions relating to the administration, control, discipline and welfare of merchant seamen are constantly arising which affect, or are the concern of several departments of the Government;

That, in order to effect co-ordination in dealing with these questions, and on the grounds of expediency, the same were dealt with by an informal interdepartmental committee, which was established at the instance of the Minister of National Defence for Naval Services;

That, inasmuch as a number of these questions involve matters of principle and possibly policy, it is considered expedient and in the public interest that the same should be dealt with by a more authoritative body than the informal committee mentioned which would from time to time report to the Minister of Transport, who is mainly concerned with the majority of these questions.

The Committee, therefore, on the recommendation of the Acting Minister of Transport and the Minister of National Defence for Naval Services, advise:

1. That an interdepartmental committee to be designated as "The Interdepartmental Committee on matters relating to Merchant Seamen,"

be hereby established the duty of which shall be to study such questions concerning the control and discipline of merchant seamen ashore in Canada and on board ship, and other related matters as may from time to time be referred to it by the department or departments concerned, and to report thereon from time to time to the Minister of Transport.

2. That the said committee be composed of the Director of Trade Division, Department of National Defence, Naval Services; an official of the Immigration Branch, Department of Mines and Resources; the Judge Advocate General's Branch, Department of National Defence; the Supervisor of Nautical Services' Division, Department of Transport; the Director of Merchant Seamen's Branch, Department of Transport, together with an official of each of the Departments of Justice, External Affairs, Pensions and National Health, and an officer of the Royal Canadian Mounted Police,—all of whom are to be named by the Deputy Head of the Department concerned.

3. That the said committee shall appoint one of its members as Chairman.

4. That the said committee be empowered to appoint sub-committees from its members for the purpose of dealing with any particular question which might be more expeditiously and advantageously dealt with in such manner; and that any such sub-committee so appointed shall report back to the main committee.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending National War Services Regulations—men not fit for military training to report for duty with the R.C.M. Police

Canada Gazette (Extra), 18th June, 1942

P.C. 4974

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 15th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the authority of The National Resources Mobilization Act, 1940, the Governor in Council may, during the continuance of the state of war now existing, make from time to time such orders and regulations, requiring persons to place themselves and their services at the disposal of His Majesty in the right of Canada as may be deemed necessary or expedient for securing the public safety, the defence of Canada, the maintenance of public order, or the efficient prosecution of the war, but such powers may not be exercised for the purpose of requiring persons to serve in the military, naval or air forces outside of Canada and the territorial waters thereof;

And whereas Section 5 of The National War Services Regulations, 1940 (Recruits), made pursuant to the said Act, authorizes the Governor in Council to call out certain British subjects by age classes for military training and

Section 9 of the said Regulations authorizes the Divisional Registrars appointed under such Regulations to require any man so called out to report for military training if he is found fit for military training, and his period of military training has not been postponed;

And whereas the Minister of National War Services reports that he is informed that the Royal Canadian Mounted Police have been unable to obtain a sufficient number of men to carry out the special duties imposed on that Force by reason of the war;

That a large number of men, not fit for military training are nevertheless fit for special duties in the Royal Canadian Mounted Police; and

That it is necessary and expedient for securing the public safety, the defence of Canada, the maintenance of public order and the efficient prosecution of the war that a sufficient number of such men be called up for such service in the Royal Canadian Mounted Police in Canada and the territorial waters thereof as the Minister of Justice may from time to time require.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National War Services concurred in by the Minister of Justice and under the authority of The National Resources Mobilization Act, 1940, Chapter 13 of the Statutes of Canada, 1940, and the War Measures Act, Chapter 206, of the Revised Statutes of Canada, 1927, is pleased to amend The National War Services Regulations, 1940 (Recruits) and they are hereby amended by placing the heading "Part I" immediately before section 1, thereof and adding the following thereto as Part II thereof;

PART II

40. The Minister, upon being informed by the Minister of Justice that a given number of men are required by the Royal Canadian Mounted Police for special duty, may instruct any Divisional Registrar to call out a given number of men from his division pursuant to the provisions of section forty-one of these Regulations.

41. If a man called out for military training pursuant to section five of these Regulations is found not to be fit for military training but is nevertheless fit for special duty in the Royal Canadian Mounted Police, and his period of military training has not been ordered postponed by the Board, the Divisional Registrar may serve such man or cause him to be served, either personally or by registered post, with a notice in prescribed form requiring him to report for training and special duty with the Royal Canadian Mounted Police at a time and place to be indicated to him by the Divisional Registrar; and any person upon whom such a notice is served shall comply therewith within the time limited by, and in accordance with the terms of the notice given to him, and any person who fails or refuses to report accordingly shall be guilty of an offence and liable upon indictment or upon summary conviction to imprisonment for a term not exceeding twelve months with or without hard labour, or to a fine not exceeding two hundred dollars or to both such imprisonment and such fine.

42. (1) Any man who reports for training and duty as required by a notice served upon him pursuant to section 41 of these Regulations shall thereupon, without further formality, become a member of the Royal Canadian Mounted Police as a special constable and shall, during the continuation of the state of war now existing, be a member of the Royal Canadian Mounted Police for such period or periods as the Minister of Justice may from time to time require.

(2) While any such man is a member of the Royal Canadian Mounted Police, he shall be subject to the Royal Canadian Mounted Police Act

regulations made thereunder and such special conditions of service as the Commissioner of the Royal Canadian Mounted Police may from time to time prescribe.

43. All provisions of Part I of these Regulations not inconsistent with this part shall apply, as far as applicable, as if enacted in this part *mutatis mutandis*.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council removing customs duty on imports of animal glue

P.C. 5015

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 15th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, animal glue, powdered or sheet, is dutiable at the rate of 17½ per cent and 2 cents per pound under the British Preferential Tariff and 25 per cent and 5 cents per pound under the Intermediate or General Tariff;

And whereas the Minister of Finance reports that an arrangement has been entered into with animal glue manufacturers in the United States whereby they will send to Canada two-thirds of the bone glue extracted from bones that have been exported from Western Canada to glue manufacturers in the United States; and

That the Wartime Prices and Trade Board recommends the temporary removal of the customs duty and war exchange tax on imports of animal glue, powdered or sheet, from countries the products of which are entitled to British Preferential or Intermediate Tariff treatment;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order that imports of animal glue, powdered or sheet, be and they are hereby accorded the tariff treatment hereunder indicated during the period May 1, 1942 to December 31, 1942:

Animal glue, powdered or sheet. . . .

British
Preferential
Tariff
Free

Intermediate
Tariff
Free

General
Tariff

25 p.c. and 5 cents per
pound.

(To be designated as Tariff Item 231a.)

His Excellency in Council is further pleased to order and it is hereby ordered that imports of animal glue, powdered or sheet, originating in countries the products of which are entitled to Intermediate Tariff treatment be exempt from the war exchange tax of 10 per cent.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing rates of pay and cost-of-living bonus for
labourers, National Defence projects, Vancouver Island

P.C. 5037

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 12th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that the rate of wages for labourers currently being paid in the City of Victoria, B.C., and its environs is 50 cents per hour with the addition of a cost-of-living bonus of \$3.65 for the standard work week;

That labourers employed on construction work of the Naval Service Department and other projects of departments and agencies of the Government of Canada are being paid a wage rate of 50 cents per hour with no cost-of-living bonus in the aforesaid area; and

That it is desirable, in order to maintain industrial peace and to recruit sufficient labourers for the early completion of the aforesaid construction work of the Department of Naval Service and of other departments and agencies of the Government of Canada, that the wage rates of labourers on all construction projects in the aforesaid area should be equalized and that the wage rates of other classifications of workers on such work be adjusted in relation to the wage rate for labourers as the National War Labour Board may deem necessary.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and it is hereby ordered—

- (1) That the wage rate of labourers employed on construction projects undertaken by or on behalf of any department or agency of the Government of Canada in the City of Victoria, B.C., and its environs or in any other area on the Island of Vancouver designated by the National War Labour Board shall be not more than 50 cents per hour.
- (2) That a cost-of-living bonus for labourers in addition to the wage rate above specified shall be paid as follows:—
 - (a) A bonus of not more than \$3.65 per week payable only with respect to employment at basic wage rates, not including over-time.
 - (b) For any period during which an employee is employed and paid for less than the normal full time hours of work at basic wage rates, he shall be paid that proportion of his full time bonus which the number of hours he actually worked at basic wage rates is of the normal full time hours of work in that period.
 - (c) Such adjustments in the aforesaid cost-of-living bonus as may be announced from time to time by the National War Labour Board.
- (3) That the National War Labour Board be and it is hereby authorized to make such adjustments in wage rates and cost-of-living bonus in relation to the wage rate and cost-of-living bonus for labourers above

specified for other classes of employees employed on construction projects undertaken by or on behalf of any department or agency of the Government of Canada in the City of Victoria, B.C., and its environs or in any other area on the Island of Vancouver designated by the National War Labour Board as in the opinion of said Board are fair and reasonable.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Control of Employment Regulations 1942

Canada Gazette (Extra), June 17, 1942

P.C. 5038

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 12th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that it is essential, for the most effective utilization of labour in the war effort and for the reduction of excessive labour turnover, to provide for the greater use by employers and employees of public employment offices;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, with the concurrence of the National Selective Service Advisory Board, and under authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and the National Resources Mobilization Act, Chapter 13 of the Statutes of Canada, 1940, is pleased to make the following Regulations and they are hereby made and established accordingly:—

1. These regulations may be cited as the Control of Employment Regulations, 1942.

2. As used in these Regulations, unless the context otherwise requires,

- (a) "Agriculture" means the production of field crops, fruits, vegetables, honey, poultry, eggs, livestock, milk, butter or cheese;
- (b) "Employment" means any service as an employee, including employment under the Government of Canada, but not including employment in agriculture, or employment subject to the provisions of the Essential Work (Scientific and Technical Personnel) Regulations, 1942, or employment under the Government of any Province;
- (c) "Local office" means a local employment and claims office of the Unemployment Insurance Commission or any other agency designated by the Director of National Selective Service as a local office for the purposes of these regulations.

3. Subject to the approval of the Minister of Labour, the Director of National Selective Service, with the concurrence of the National Selective

Service Advisory Board, shall have power to issue orders prescribing that, in respect of all or any class of employees in any locality, industry or occupation, and subject to such conditions, qualifications and exceptions as he deems necessary to carry out the purposes of these regulations, no employer shall take any person into employment except by notifying a local office of the vacancy to be filled and engaging for that vacancy a person referred to him for such vacancy by a local office, or a person whose engagement for such vacancy is approved by a local office. Such orders shall become effective upon publication in the *Canada Gazette*.

4. (1) In any prosecution under these regulations, the complaint shall be made or the information laid within one year from the time when the matter of the complaint or information arose.

(2) Sections sixty-nine and seventy of the Criminal Code shall apply *mutatis mutandis* to the provisions of these regulations.

5. Any person who contravenes or fails to comply with any of the provisions of any order made under authority of these regulations shall be guilty of an offence and liable upon indictment or summary conviction to imprisonment for a term not exceeding twelve months with or without hard labour, or to a fine not extending \$500 or to both such imprisonment and such fine.

His Excellency in Council, on the same recommendation, is further pleased to revoke and doth hereby revoke Order in Council P.C. 2250 of 21st March, 1942, effective upon publication of the Control of Employment Regulations, 1942, in the *Canada Gazette*.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Canada Gazette (Extra), June 17, 1942

GOVERNMENT NOTICE

Under authority of the Control of Employment Regulations, 1942, (P.C. 5038 of 12th June, 1942) the Director of National Selective Service, with the concurrence of the National Selective Service Advisory Board and the approval of the Minister of Labour, hereby makes the following order:

1. As used in this order—

(a) "Employment" means any service as an employee, including employment under the Government of Canada, but not including

- (i) employment in agriculture as defined in the Control of Employment Regulations, 1942, fishing, hunting, or trapping, or
- (ii) employment subject to the provisions of the Essential Work (Scientific and Technical Personnel) Regulations, 1942, or
- (iii) employment under the Government of any Province, or
- (iv) employment in domestic service in a private home, or
- (v) employment of students for work to be done after attendance at day classes or on holidays during the school or college term but not during the long summer vacation, or
- (vi) part-time subsidiary employment which is not the employee's principal means of livelihood, or
- (vii) casual or irregular employment for not more than three days in any calendar week for the same employer.

(b) "Local office" means an Employment and Claims Office of the Unemployment Insurance Commission or any other agency designated by the Director of National Selective Service as a local office for the purposes of this order.

2. (1) Except as otherwise herein provided, no employer shall take any person into employment except by notifying a local office of the vacancy to be filled and engaging for that vacancy either a person referred to him for such vacancy by a local office or a person whose engagement for such vacancy is approved by a local office.

(2) Whenever an employer learns that he requires or will require to engage any additional employees or to lay off any employees, he shall forthwith notify such vacancies or lay-offs to a local office.

(3) Any employer who has notified a local office of a vacancy to be filled may apply to the National Selective Service Officer in such office for approval of the engagement for that vacancy of a person other than one referred to him by such office. Subject to such instructions as the Director of National Selective Service may from time to time issue, such National Selective Service Officer may give or refuse such approval after taking into consideration whether such person is able and available to fill any other known vacancy in which his services might be more essential for the maintenance or increase of the production of munitions of war or other essential supplies.

(4) A National Selective Service Officer, upon not less than ten days' notice, may at any time revoke any approval granted by him.

3. If a National Selective Service Officer refuses or revokes his approval of the engagement of any person by an employer, such person or such employer or the representative of any interested trade union or similar organization may, within ten days of such refusal or notice of such revocation, appeal therefrom by notice in writing to the Divisional Registrar of the Administrative Division in which such person would have been or was employed by such employer, and the National War Services Board for such Administrative Division or part thereof in which such person would have been or was so employed shall forthwith hear and determine such appeal and such decision shall be final and conclusive.

4. The provisions of section 2 hereof shall not apply to the re-employment of any person by an employer—

- (a) within a period of not more than fourteen consecutive days immediately following the day on which he was last employed by that employer, or
- (b) immediately following the end of a period of sickness or disability, if his employment with that employer was terminated by reason of such sickness or disability, or
- (c) on his resumption of work on the termination of any stoppage of work by reason of an industrial dispute, or
- (d) in accordance with the terms of a collective labour agreement which provides preference in employment and re-employment according to length of service or seniority, or
- (e) upon such employee's reinstatement pursuant to the provisions of Order in Council P.C. 4758 of 27th June, 1941, or any Act of Parliament after the termination of his service in His Majesty's Forces.

Dated at Ottawa this sixteenth day of June, nineteen hundred and forty-two.

E. M. LITTLE,
Director of National Selective Service.

Approved:

HUMPHREY MITCHELL,
Minister of Labour.

Proclamation

Canada Gazette (Extra), June 15, 1942

ATHLONE
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India.

To all to whom these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION

LOUIS S. ST. LAURENT,
Attorney General, Canada.

Whereas it seems to Us fitting that an opportunity should be afforded Our Loving Subjects, the people of Canada, of paying honour to the Canadian Army during a period set apart for that purpose, to be designated and known as "Army Week".

Now know ye that We, by and with the advice of Our Privy Council for Canada, have thought fit to appoint and do by this Our Proclamation appoint the period commencing Monday, June 29, 1942, and ending Sunday, July 5, 1942, as "Army Week", during which it is Our request that Our Loving Subjects, the people of Canada, may pay honour to the Canadian Army.

And further know ye that We do hereby request that during Army Week Our Loving Subjects, the people of Canada, shall, whenever possible, display flags and bunting on their private residences and on their places of business by way of expressing their pride and confidence in the men and women who, as members of the Canadian Army, have offered their lives, if need be, to defend their homes and their country.

Of all which our loving subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

In testimony whereof we have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Dear Uncle, Our Right Trusty and Right Well Beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this ninth day of June, in the year of Our Lord One thousand nine hundred and forty-two and in the Sixth year of Our Reign.

By Command,

N. A. McLARTY,

Secretary of State.

Order in Council withdrawing certain areas in Yukon Territory from
mining regulations—drilling for scheelite

P.C. 5071

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 15th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the authority of the War Measures Act, Chapter 206, R.S. 1927, The Governor General in Council may do and authorize such acts and things, and make from time to time such orders and regulations, as he may by reason of the existence of real or apprehended war, invasion or insurrection deem necessary or advisable for the security, defence, peace, order and welfare of Canada;

And whereas the Minister of Mines and Resources reports that mining rights, the property of the Crown, in the Yukon Territory, are disposed of under the Yukon Quartz Mining Act, the Yukon Placer Mining Act, and certain mining regulations made by The Governor General in Council;

That deposits of gravels containing a strategic mineral known as scheelite are said to occur in the vicinity of Dublin Gulch, Yukon Territory;

That the scheelite content of these gravels can be determined only by drilling and that it is considered to be in the public interest that they should be prospected intensively by the Government.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources, and under authority of the War Measures Act aforesaid, is pleased to authorize and doth hereby authorize the Minister of Mines and Resources to withdraw from the provisions of the said Acts and regulations the area of lands hereinafter described, the property of the Crown, or which, during the period of reservation, may become the property of the Crown:—

DESCRIPTION

“A tract bounded by Haggart Creek for a distance of two miles downstream from the mouth of Dublin Gulch; by Dublin Gulch for a distance of two miles upstream from the mouth of Dublin Gulch; by a line running south from a point on Dublin Gulch two miles upstream from the mouth of Dublin Gulch; and by a line running east from Haggart Creek from a point on Haggart Creek two miles downstream from the mouth of Dublin Gulch.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending Wartime Prices and Trade Regulations, P.C.
8528; defining "Chairman" and "Secretary"

P.C. 5092

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 15th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to order and doth hereby order as follows:

1. The Wartime Prices and Trade Regulations established by Order in Council P.C. 8528 of the 1st day of November, 1941, as amended, are further amended by adding to subsection (1) of Section 1 thereof the following clauses:

(s) "Chairman" means the Chairman or Deputy Chairman of the Board;

(t) "Secretary" means the Secretary or Assistant-Secretary of the Board.

2. Wherever, in any other Order in Council, the expression "Chairman" is used with reference to the Chairman of the Wartime Prices and Trade Board, such expression shall be construed as meaning "Chairman or Deputy Chairman."

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending P.C. 80/1045, 19th March, 1940 (claims against the Crown)—Naval Service claims arising from accidents, collisions, etc., in which H.M. Canadian ships are involved

P.C. 54/5095

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 15th June, 1942.

The Board had under consideration a memorandum from the Honourable the Minister of National Defence for Naval Services reporting that:

"1. By Order in Council P.C. 80/1045, dated 19th March, 1940, Regulations respecting the procedure to be followed in connection with claims against the Crown arising out of any death or injury to the person or to property resulting from the alleged negligence of any officer or servant of the Crown while acting within the scope of his duties or employment were made and established.

2. The said Regulations provide inter alia that in cases where in the opinion of the Deputy Minister of Justice the facts indicate recklessness,

undue carelessness, intentional omission or commission of any act amounting to a wrongful act on the part of an officer or servant of the Crown, and a claim has been made against the Crown which has been paid in whole or in part a demand shall be made upon the said officer or servant for reimbursement to the Crown to the extent set out in the said Regulations.

3. As a result of the expansion of the Naval Service officers are required to take command of ships providing convoy escort and moving in and out of crowded harbours under such circumstances that accidents involving very heavy damages are liable to occur, and it is not considered to be in the public interest that such officers even in cases where they are guilty of negligence of a major character should be liable to reimburse the Crown in amounts that in most cases must necessarily be far beyond the means of the said officers.

The undersigned, therefore, has the honour to recommend that Your Excellency in Council be pleased to amend Regulation 9 of Order in Council P.C. 80/1045 dated 19th March, 1940, by adding at the end thereof the following words:—

‘Provided, however, that notwithstanding any finding of legal liability to reimburse the Crown as hereinbefore provided this Regulation shall not apply in respect of the reimbursement of the Crown on account of compensation paid by the Crown as the result of claims arising from accidents, collisions and like incidents in which His Majesty’s Canadian Ships are involved.’”

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council rescinding Maximum Prices Regulations and amending Wartime Prices and Trade Regulations

Canada Gazette (Extra), June 16, 1942

P.C. 5109

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Orders in Council P.C. 8527 and P.C. 8528 of the 1st day of November, 1941, The Maximum Prices Regulations and The Wartime Prices and Trade Regulations were respectively made and established;

And whereas the said regulations have been amended in some respects by Orders in Council P.C. 8762 of the 10th day of November, 1941, P.C. 8818 of the 11th day of November, 1941, P.C. 8837 of the 13th day of November, 1941, P.C. 9030 of the 19th day of November, 1941, P.C. 571 of the 26th day of January, 1942, and P.C. 5092 of the 15th June, 1942;

And whereas the Minister of Finance reports that it is deemed advisable to further amend the said regulations as hereinafter set forth:

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and pursuant to the powers conferred on the Governor in Council by the War Measures Act and otherwise is pleased to order as follows:

A. The Maximum Prices Regulations are hereby rescinded.

B. The Wartime Prices and Trade Regulations (hereinafter referred to as "the said regulations") are hereby amended as follows:

1. Subsection (1) of Section 2 of the said regulations is hereby deleted and the following subsection is substituted therefor:

(1) For the purposes of these regulations, unless the context otherwise requires,

- (a) "Administrator" means any person appointed as a Co-ordinator or an Administrator by the Board with the approval of the Governor in Council;
- (b) "Basic period" means the four weeks from September 15, 1941 to October 11, 1941, both inclusive;
- (c) "Board" means the Wartime Prices and Trade Board;
- (d) "Chairman" means the Chairman or Deputy Chairman of the Board;
- (e) "Controller" means a Controller who is a member of the Wartime Industries Control Board;
- (f) "goods" includes any articles, commodities, substances or things;
- (g) "licence" means a licence granted or issued by the Board under these regulations;
- (h) "markup" means the amount added to the cost price in figuring a selling price to cover overhead and profits;
- (i) "member" means a member of the Board;
- (j) "Minister" means the Minister of Finance;
- (k) "offence under these regulations" means any contravention of or failure to observe any of these regulations or any order;
- (l) "order" means and includes any general or specific order, requirement, instruction, prescription, prohibition, restriction or limitation heretofore or hereafter made or issued in writing by or on behalf of or under authority of the Board in pursuance of any power conferred by or under these regulations or any other Order in Council or Act of Parliament;
- (m) "price" includes the price of goods and the rate, rental or charge for the hire or use of any goods or for the supplying of any services;
- (n) "regulation" means any of these regulations and any amendment or addition thereto;
- (o) "sale" includes sales, leases, consignments, exchanges and other transfers or dispositions of goods, the supplying or performing of services, and contracts for any of the foregoing; and the words "sell", "seller", "buy", "buyer" and "purchase" shall each have a similarly extended meaning;
- (p) "Secretary" means the Secretary or Assistant-Secretary of the Board;
- (q) "services" means the following specified services and any services associated therewith or ancillary thereto, and also any activities or undertakings that may hereafter be designated by the Board as services for the purposes of these regulations;

- (i) the supplying of electricity, gas, steam heat and water;
- (ii) telegraph, wireless and telephone services;
- (iii) the transportation of goods and persons, and the provision of dock, harbour and pier facilities;
- (iv) warehousing and storage;
- (v) undertaking and embalming;
- (vi) laundering, cleaning, tailoring and dressmaking;
- (vii) hairdressing and beauty parlour services;
- (viii) plumbing, heating, painting, decorating, cleaning and renovating;
- (ix) repairing of all kinds;
- (x) the supplying of meals, refreshments and beverages;
- (xi) the renting and exhibiting of moving pictures;
- (xii) manufacturing processes performed on a custom or commission basis;
- (xiii) the supplying of services performed by optometrists and opticians;
- (xiv) the laying of carpets, rugs and linoleum.

2. Subsection (2) of Section 2 of the said regulations is deleted and the following substituted therefor:

“(2) Every offence under these regulations shall be deemed to be an offence against the Criminal Code.”

3. Subsection (3) of Section 2 of the said regulations is amended as follows:

- (1) By deleting the words “Unless and until action is taken by the Board under these regulations” and substituting therefor the words “Unless and until action is taken by or on behalf of or under authority of the Board.”
- (2) By deleting the words “the concurrence” and by substituting therefor the words “the written concurrence.”
- (3) By deleting the words “any action of the Board” and substituting therefor the words “any action by or on behalf of or under authority of the Board.”

4. Section 2 of the said regulations is amended by adding thereto the following subsections:

- “(4) In the event of any conflict between these regulations or any order and any law in force in any part of Canada, the provisions of these regulations or of such order shall prevail.”
- “(5) His Majesty in right of Canada or in right of any Province in Canada shall be bound by the provisions of these regulations and of any order.”
- “(6) Expressions used in any order shall, unless a contrary intention appears, have the same meaning as corresponding expressions in these regulations.”

5. Subsections (3) and (4) of Section 3 of the said regulations are deleted and the following are substituted therefor:

- “(3) The Board may with the approval of the Governor in Council appoint such Administrators and other officers, clerks and other persons as may be deemed necessary to assist the Board in the performance of its duties, and every person so appointed shall receive such remuneration as the Board shall, with the approval of the Governor in Council, determine; and the Board may also appoint, without such approval, any persons to assist the Board in an advisory capacity without remuneration other than reimbursement of actual transportation, living and other out-of-pocket expenses incurred in connection with the performance of their duties.”

“(4) The Board may exercise its powers by order or otherwise and may from time to time delegate to any person and authorize him to exercise from time to time such of the powers of the Board on such terms as the Board deems proper.”

6. Subsection (7) of Section 3 of the said regulations is deleted and the following substituted therefor:

“(7) In any proceedings in any Court,

- (i) any document certified by the Chairman or Secretary to be a true copy of the minutes of any meeting of the Board or of any extract therefrom shall be received as conclusive evidence that any transaction or decision therein recorded was made or taken;
- (ii) any order, licence or other document purporting to be made or issued by or on behalf of or under authority of the Board shall, if signed or countersigned by the Chairman or the Secretary, be received as conclusive evidence that such order, licence or other document was so made or issued;
- (iii) any document certified by the Chairman or Secretary to be a true copy of any order, licence or other document made or issued by or on behalf of or under authority of the Board shall be received as conclusive evidence that such order, licence, or other document was so made or issued;
- (iv) any document purporting to be signed or countersigned by the Chairman or Secretary of the Board shall be received in evidence without proof of the signature or official character of the Chairman or the Secretary as the case may be.”

7. Subsection (1) of Section 4 of the said regulations is amended as follows:

- (1) By deleting from clause (a) thereof the words “against any regulation” and substituting therefor the words “under these regulations.”
- (2) By deleting from clause (b) thereof the words “engaged as aforesaid.”
- (3) By deleting from clause (c) thereof the words “or sells” and by substituting therefor the words “sells, buys, acquires or accumulates.”
- (4) By deleting clause (e) thereof and substituting therefor the following: “(e) to refer to the Attorney General of any province information respecting any alleged offence under these regulations.”
- (5) By deleting clause (f) thereof and by substituting the following therefor: “(f) to fix specific or maximum or minimum prices or specific or maximum or minimum markups at which any goods or services may be sold or offered for sale by or to any person; to prescribe what shall constitute or be included in any price or markup; and to prohibit purchase or sale at prices which are at variance with the prices or markups so fixed.”
- (6) By deleting clause (g) thereof and by substituting therefor the following: “(g) to prescribe the terms and conditions of sale upon which, and the manner and circumstances in which, any goods or services may be sold, offered for sale, supplied, distributed, exhibited, advertised, or otherwise dealt with or used and to prohibit transactions and acts not in accordance therewith.”
- (7) By deleting clause (i) thereof and by substituting therefor the following: “(i) to prescribe the kinds, models, types, sizes, standards, qualities, quantities, component parts or materials of any goods or services that may or may not be produced, manufactured, extracted, refined, processed, stored, transported, purchased, sold, supplied, assembled, installed, constructed, distributed, delivered, used or dealt in and to prohibit any act by any person not in accordance with such prescription.”

- (8) By deleting from clause (j) thereof the words "manufacturers, importers, exporters, producers, jobbers, wholesalers or retailers of, or other dealers in or suppliers of any goods or services" and by substituting therefor the words "any person."
 - (9) By deleting clause (k) thereof and substituting therefor the following:
 "(k) To amend, suspend or cancel any licence issued or granted."
 - (10) By deleting from clause (l) thereof the words "or distributed" and by substituting therefor the words "distributed, delivered or used;" and by deleting the words "or distribution" and by substituting therefor the words "distribution, delivery or use."
 - (11) by deleting clause (m) thereof and by substituting therefor the following:
 "(m) to produce, manufacture, extract, refine, process, assemble, install, construct, store, transport, purchase, sell, supply, distribute, deliver, deal in or use any goods or services, directly or through persons or agencies designated by the Board or acting on behalf of or under authority of the Board."
 - (12) By inserting after the words "deal with" in clause (n) thereof the word "use".
 - (13) By inserting in clause (o) thereof after the word "supplying" the words "assembling, installing, constructing, purchasing, selling, distributing, delivering, using" and after the word "supply" the words "assemble, install, construct, purchase, sell, distribute, deliver, use."
8. Sections 7 to 17, inclusive, of the said regulations are respectively re-numbered as Sections 8 to 18 inclusive.
9. The following is added to the said regulations as Section 7 thereof:

"Maximum Prices"

- "7. (1) Subject to any lower price that may be required by the operation of the provisions of subsection (1) of Section 8 of these regulations, no person shall on or after December 1, 1941, sell or offer to sell any goods or services at a price that is higher than the maximum price for such goods or services pursuant to these regulations; but nothing in this Section shall be construed so as to prevent any person from selling or offering to sell any goods or services at a price lower than the maximum price.
- (2) The highest lawful price at which any person sold any goods or services during the basic period shall be the maximum price at which such person may sell or offer to sell goods or services of the same kind and quality; provided, however, that the provisions of this subsection shall not apply so as to supersede or vary any specific or maximum or minimum price fixed prior to December 1, 1941, by or on behalf of or under authority of the Board, or fixed or approved prior to December 1, 1941, by any other federal, provincial or other authority with the written concurrence of the Board, nor so as to fix any maximum price with respect to
 - (a) any sale of goods for export where such export is made by the seller or his agent;
 - (b) any sale to the Department of Munitions and Supply or any agency thereof;
 - (c) the sale by any person of his personal or household effects;
 - (d) isolated sales of goods or services by any person not in the business of selling such goods or services;

- (e) bills of exchange, securities, title deeds and other similar instruments;
 - (f) sales of goods by auction in cases where such procedure is the normal practice and is followed in good faith and without any intention of evading or attempting to evade the provisions of these regulations or of any order.
- (3) Wherever any maximum price has been fixed for any goods or services by reference to the price at which goods or services of the same kind and quality were sold by a seller during a specified period or on a specified date, such maximum price shall also be the maximum price at which the same seller may sell or offer to sell goods or services of a substantially similar kind and quality not sold by him during such period or on such date; and in any case in which the question arises as to the lawful price for any such goods or services the onus of proving the existence and extent of any relevant and substantial similarity or dis-similarity alleged by the seller shall be upon him.
 - (4) Wherever a maximum price has been fixed for any goods or services every seller shall continue to allow any difference in price which he has during the basic period or customarily allowed to different classes of buyers or for different quantities or under different conditions of sale, and which result in a lower net price per unit of goods or services.
 - (5) No person shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such person during the basic period or customarily imposed or agreed to by such person, in such a way as directly or indirectly to increase the maximum price of any goods or services.
 - (6) Where a contract to supply any goods or services was entered into prior to the basic period or subsequent to the basic period but prior to December 1, 1941, at a price higher than the maximum price pursuant to these regulations, the price for any goods or services supplied under such contract on or after December 1, 1941, shall be reduced to such maximum price.
 - (7) For the purposes of this Section if a person operates a branch of his business or otherwise operates more than one place of business, he shall, in respect of each such branch or place of business, be deemed to be a separate seller.
 - (8) Nothing contained in this Section shall be deemed to supersede any provision of any order or to derogate from any power conferred on the Board, and without restricting the generality of this provision, the Board may vary any maximum price, may concur in any variation of a maximum price, may prescribe other or additional terms or conditions of sale, may exempt any person or any goods or services or any transaction wholly or partly from the provisions of these regulations, and may withdraw any such exemption or any exemption contained in subsection (2) of this Section, either generally or in specific cases and subject to such terms and conditions as the Board may prescribe.
10. Section 8 of the said regulations, as renumbered, is amended as follows:
- (1) By deleting subsection (3) thereof and substituting therefor the following:
 - “(3) No person shall
 - (i) acquire, accumulate or withhold from sale any goods or services beyond an amount which is reasonably required for the ordinary purposes of his business or beyond such amount, if any, as the Board may prescribe; or

(ii) acquire or accumulate any goods or services beyond an amount which is reasonably required for the use or consumption of himself and his household or beyond such amount, if any, as the Board may prescribe."

(2) By deleting subsection (10) thereof and substituting therefor the following:

"(10) No person shall attempt to commit or aid or abet the commission of any offence under these regulations, or conspire with any other person by any means whatsoever to commit an offence under these regulations, or enter into any transaction or arrangement designed for the purpose or having the effect of evading any regulation or order."

(3) By adding thereto as subsection (11) the following:

"(11) No person shall make any false statement or misrepresentation to or for the use or information of the Board or of any person concerned in the administration of these regulations."

11. Section 9 of the said regulations, as renumbered, is deleted and the following substituted therefor:

"9. Any person who contravenes or fails to observe any regulation or order shall be guilty of an offence and liable upon summary conviction under Part XV of the Criminal Code or, if the Attorney General of Canada or of any province so directs, upon indictment, to a penalty not exceeding five thousand dollars or to imprisonment for any term not exceeding two years or to both such fine and such imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any such offence by such company or corporation shall be guilty of such offence personally and cumulatively with the said company or corporation."

12. Section 10 of the said regulations, as re-numbered, is deleted and the following substituted therefor:

"10. (1) No prosecution for an offence under these regulations shall be commenced except with the written leave of the Board or of the Attorney General of the province in which the offence is alleged to have been committed.

(2) A prosecution under Part XV of the Criminal Code for any offence under these regulations may be commenced at any time within twelve months from the time of its commission."

13. Section 11 of the said regulations, as re-numbered, is amended by adding thereto subsection (3) as follows:

"(3) In any proceedings for an offence under these regulations,

(a) where the price at which any sale of goods or services was made by or on behalf of the accused during any period or on any date is proved on behalf of the prosecution, such price shall, unless and until the accused proves the contrary, be deemed to be the highest lawful price at which goods or services of the same kind and quality were sold by or on behalf of the accused during such period or on such date;

(b) where any goods or services sold or offered for sale by or on behalf of the accused on or after December 1, 1941, are alleged on behalf of the prosecution to be of the same or substantially similar kind and quality as goods or services sold by or on behalf of the accused during any period or on any date, such goods or

services shall, unless and until the accused proves the contrary, be deemed to be of the same or substantially similar kind and quality as the said goods or services sold by or on behalf of the accused during the said period or on the said date;

- (c) where any goods or services sold or offered for sale by or on behalf of the accused on or after December 1, 1941, are alleged on behalf of the prosecution to be not of the same or substantially similar kind and quality as goods or services sold by or on behalf of the accused during any period or on any date, such goods or services shall, unless and until the accused proves the contrary, be deemed to be not of the same or substantially similar kind and quality as the said goods or services sold by or on behalf of the accused during the said period or on the said date;
- (d) the original or a copy of any sales slip, charge slip, invoice, voucher, book of account, bill, monthly statement, or other document whatsoever, which is proved on behalf of the prosecution to have been found in or produced from the possession of the accused or his agent or to have been issued by him or his agent, and which records or purports to record the price, date, subject-matter or other particulars of a sale or purchase shall be *prima facie* evidence that a sale or purchase as indicated therein was made by or on behalf of the accused;
- (e) the original or a copy of any catalogue, pricelist, handbill, circular letter, pamphlet, card, poster, price-tag or price-marking, letter of quotation, tender, advertisement or other document whatsoever, which is proved on behalf of the prosecution to have been found in or produced from the possession of the accused or his agent or to have been issued or published by or on behalf of the accused, and which records or purports to record the price, date, subject-matter, or other particulars of an offer to sell, shall be *prima facie* evidence that an offer to sell as indicated therein was made by or on behalf of the accused: provided that an invitation for offers to buy shall be deemed to be an offer to sell."

14. Section 12 of the said regulations, as renumbered, is amended as follows:

- (1) By deleting subsection (1) thereof and substituting the following:

"(1) Any order published in the *Canada Gazette* shall have the same force and effect as if such order were expressly set forth in these regulations, and any such order shall be construed as an Act or enactment to which the provisions of the Interpretation Act shall extend and apply but nothing herein contained shall be construed so as to require the publication of any order in the *Canada Gazette*."

- (2) By deleting the words "by the Board" in subsection (2) thereof and substituting therefor the words "by or on behalf of or under authority of the Board."

15. Section 14 of the said regulations, as renumbered, is amended by deleting the words "to receive" and substituting therefor the words "to enforce or receive."

16. Section 15 of the said regulations, as renumbered, is deleted and the following substituted therefor:

- "15. (1) No member of the Board and no Administrator or other person employed or appointed by the Board or acting on behalf of or under authority of the Board shall be or become liable to any person for or in respect of any act or omission of himself or any other person in the exercise or purported exercise of any power, discretion or authority or

in the performance or purported performance of any duty conferred or imposed by or under these regulations or any regulations for which these regulations are substituted.

- (2) No proceedings by way of injunction, mandatory order, mandamus, prohibition, certiorari or otherwise shall be instituted against any member of the Board, Administrator or other person for or in respect of any act or omission of himself or any other person in the exercise or purported exercise of any power, discretion or authority or in the performance or purported performance of any duty conferred or imposed by or under these regulations or any regulations for which these regulations are substituted.
- (3) Where any person fails, by reason of his compliance with these regulations or any order, to perform or fulfil any contract or other obligation heretofore or hereafter made, proof of such compliance shall be a good and complete defence to any action or proceeding in respect of such failure."

17. Section 18 of the said regulations, as renumbered, is revoked and the following substituted therefor:

"18. Any reference heretofore or hereafter made in any law or document to The Maximum Prices Regulations or any Section thereof shall be construed, *mutatis mutandis*, as a reference to Section 7 of these regulations."

His Excellency in Council, on the same recommendation and under the above cited authority, is further pleased, hereby, to authorize and confirm orders heretofore made, issued and established by the Board, and decisions and actions heretofore made or taken by an Administrator expressed in the form of an order signed by such Administrator and countersigned by the Chairman of the Board, and to order that they shall be construed as if they had been made, taken, issued and established in pursuance of powers conferred by or under the said regulations as hereby amended.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Proclamation calling men for military training

P.C. 5110

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 16th June, 1942.

The Committee of the Privy Council have had before them a report dated 15th June, 1942, from the Minister of National War Services, representing that the National War Services Regulations, 1940 (Recruits) (Consolidation 1941) as amended provide that men of any age classes, class or part of any age class, may be called out for military training by Proclamation of the Governor in Council and that it is now expedient that a Proclamation do issue calling out men who were on the fifteenth day of July, 1940, unmarried or widowers without child or children and who were born in any of the years 1921, 1920, 1919, 1918,

1917, 1916, 1915, 1914, 1913, 1912, 1911, 1910, 1909, 1908, or 1907, but that persons born in the year 1921 shall not be called out until they reach the age of twenty-one years.

The Committee, therefore, on the recommendation of the Minister of National War Services, advise that a Proclamation do issue in the words of the attached draft.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Proclamation

Canada Gazette (Extra), June 16, 1942

LYMAN P. DUFF,
Deputy Governor General.
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India;

To ALL To WHOM these Presents shall come or whom the same may in anywise concern,

GREETING:

PROCLAMATION

F. P. VARCOE,
Deputy Minister of
Justice, Canada.

} WHEREAS it is provided by the National Resources Mobilization Act, 1940, that the Governor in

Council may make from time to time such orders and regulations requiring persons to place themselves, their services and their property at the disposal of His Majesty in the right of Canada for the use within Canada or the territorial waters thereof, as may be deemed necessary or expedient for securing the public safety, the defence of Canada, the maintenance of public order, or the efficient prosecution of the war, or for maintaining supplies or services essential to the life of the community;

And whereas pursuant to the powers therein contained and the provisions of the War Measures Act, Our Governor in Council did on the 27th day of August, 1940, make regulations to provide a system for calling out men for military training within Canada and the territorial waters thereof, such regulations as amended and consolidated being now known as the National War Services Regulations, 1940 (Recruits) (Consolidation 1941);

And whereas pursuant to and in accordance with the said regulations, it has been decided to call out for military training, as aforesaid, every male British subject who is or has been, at any time subsequent to the first day of September, 1939, ordinarily resident in Canada, who on the fifteenth day of July, 1940, was unmarried or a widower without child or children and who was born in any of the years 1921, 1920, 1919, 1918, 1917, 1916, 1915, 1914, 1913, 1912, 1911, 1910, 1909, 1908 or 1907, but that persons born in the year 1921 shall not be called out until they reach the age of twenty-one years.

Now therefore know ye that pursuant to the National Resources Mobilization Act, 1940, and The War Measures Act, and pursuant to and in accordance with the National War Services Regulations, 1940 (Recruits) (Consolidation 1941) as

amended, promulgated under the provisions of the said Acts, we do hereby call out the aforesaid classes of men to submit themselves for medical examination and to undergo military training for a period of four months within Canada or the territorial waters thereof, and to report at such places and times and in such manner and to such authorities or persons as may be notified to them respectively by a Divisional Registrar of an Administrative Division appointed by the Governor in Council pursuant to the above mentioned regulations.

And further take notice that upon completion of the military training aforesaid all such persons shall be liable to perform such training, service or duty, but only within Canada and the territorial waters thereof, as the Minister of National Defence may from time to time require pursuant to the provisions of the Reserve Army (Special) Regulations, 1941.

Of all which our loving subjects and all others whom these presents may concern, are hereby required to take notice and to govern themselves accordingly.

In Testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. WITNESS: Our Right Trusty and Well-beloved Counsellor the Right Honourable Sir Lyman Poore Duff, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Chief Justice of Canada and Deputy of Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the honourary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Comander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this sixteenth day of June, in the year of Our Lord One thousand nine hundred and forty-two and in the Sixth year of Our Reign.

By Command,

(Sgd.) E. H. COLEMAN,

Under Secretary of State.

**Order in Council amending Control of Employment Regulations—
right of appeal**

Canada Gazette, June 27, 1942.

P.C. 5152

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 18th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and the National Resources

Mobilization Act, Chapter 13 of the Statutes of Canada is pleased to amend the Control of Employment Regulations, 1942 (Order in Council P.C. 5038 of June 12th, 1942) and they are hereby amended by adding thereto the following new section:

6. Any order issued by the Director of National Selective Service under authority of these regulations shall provide that any person aggrieved by any refusal or revocation of any approval pursuant to such order shall have the right of appeal to a National War Services Board, established under the National War Services Regulations, 1940 (Recruits). Such Boards are hereby authorized and directed to hear such appeals and to render decisions thereon which shall be final and conclusive. Such of the provisions of the National War Services Regulations, 1940 (Recruits) with reference to National War Services Boards, as are not inconsistent with such orders, shall apply *mutatis mutandis* to appeals under such orders.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Regulations Respecting Metals

Canada Gazette (Extra), July 8, 1942

P.C. 5225

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 19th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council, P.C. 3187 of the 15th July, 1940, Regulations Respecting Metals were established and George C. Bateman, Esquire, of the City of Toronto, Ontario, was appointed as Metals Controller with provision for payment of his expenses as such Metals Controller;

And whereas the said Order in Council P.C. 3187 was amended by Order in Council P.C. 7494 of December 19, 1940, Order in Council P.C. 2448 of April 8, 1941, Order in Council P.C. 6835 of August 29, 1941, and Order in Council P.C. 7358 of September 20, 1941;

And whereas by Order in Council P.C. 7742 of October 4, 1941, Frederick Martin Connell, of the City of Toronto, Ontario, Mining Engineer, was appointed Deputy Metals Controller;

And whereas the Minister of Munitions and Supply reports that it is desirable to clarify and extend the powers of the Metals Controller and for this purpose to repeal certain of the said Orders in Council and to re-establish the Regulations Respecting Metals as hereinafter provided;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and pursuant to the powers conferred by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to order as follows:

A. George C. Bateman, Esquire, of the City of Toronto, Ont., Mining Engineer, is hereby continued in office and appointed as Metals Controller, with the duties, privileges and immunities conferred or

charged upon or vested in the Metals Controller by the Regulations hereinafter set out or by any other Regulations, Order in Council, or Statute.

- B. Frederick Martin Connell, Esquire, of the City of Toronto, Ont., Mining Engineer, is hereby continued in office and appointed as a Deputy Metals Controller, with the duties, privileges and immunities conferred or charged upon or vested in a Deputy Metals Controller by the Regulations hereinafter set out or by any other Regulations, Order in Council, or Statute.
- C. There shall be paid to the said George C. Bateman, as such Metals Controller.
 - (1) his actual out of pocket expenses incurred in connection with his duties aforesaid;
 - (2) from time to time such working capital as may be required to enable him to carry out the powers aforesaid;
 - (3) the administration expenses incurred by him in the exercise of the powers aforesaid, including travelling expenses of any person acting under his authority.
- D. The said Orders in Council P.C. 3187 of 15th July, 1940, P.C. 7494 of 19th December, 1940, P.C. 7358 of 20th September, 1941, and P.C. 7742 of 4th October, 1941, are hereby revoked.
- E. The following Regulations Respecting Metals are hereby made and established.

REGULATIONS RESPECTING METALS

1. *Interpretation*

(1) For the purposes of these Regulations (and of any Order made under these Regulations) unless the context shall otherwise require:

- (a) "Controller" or "Metals Controller" shall mean the Metals Controller appointed as such by the Governor General in Council and for the time being in office as such;
- (b) "Deputy Controller" or "Deputy Metals Controller" shall mean a Deputy Metals Controller appointed as such by the Governor General in Council and for the time being in office as such;
- (c) "dealing in or with" shall include buying, selling, leasing, hiring, exchanging, acquiring, importing, storing, supplying, delivering, operating, transporting, distributing, shipping, conveying, installing, consuming or using and "deal in or with" and "dealt in or with" shall have similarly extended meanings;
- (d) "equipment" shall include any property, real or personal, and any goods owned by or under the control of any person for the purpose of producing or dealing in or with metals or which can be used for the purpose of producing or dealing in or with metals;
- (e) "metals" shall include all metals and alloys thereof, metallic products including scrap; all minerals and mineral products including sphagnum peat moss, concentrates and ores; excepting coal and other solid fuels, oil, steel and iron; provided that the Minister may declare in writing any articles, commodities, substances or things to be included in or excluded from "metals" for the purposes of these Regulations;
- (f) "the Minister" shall mean the Minister of Munitions and Supply for the time being in office and shall include any acting Minister of Munitions and Supply;

- (g) "order" shall include any licence, permit, regulation, prohibition, direction, condition, requirement, restriction or limitation issued or made under these Regulations, or any other Regulations, Order in Council or Statute vesting powers in the Metals Controller;
- (h) "person" includes firm, corporation, co-operative enterprise, company, partnership, association or any other body and the heirs, executors, administrators, receivers, liquidators, curators and other legal representatives of such person according to the laws of that part of Canada applicable to the circumstances;
- (i) "producing" shall include mining, drilling for, milling, extracting, concentrating, refining, smelting, processing, fabricating, dredging, digging, sluicing, prospecting, developing, transporting, storing, and "produce", "produced", and "production" shall have corresponding and similarly extended meanings;
- (j) Words in the singular shall include the plural, and words in the plural shall include the singular, and the masculine, feminine or neuter gender respectively shall be deemed to denote either the neuter or the feminine or the masculine where the context so requires.

(2) Except as herein otherwise provided, His Majesty in right of Canada and His Majesty in right of any province thereof shall be bound by the provisions of these Regulations.

2. *Constitution of Metals Controller*

(1) There shall be a Metals Controller appointed by the Governor General in Council who shall have the powers set out in these Regulations.

(2) A Deputy Metals Controller shall have and exercise any and all powers conferred on the Metals Controller subject to any restriction thereof which the Metals Controller may from time to time impose and subject in all cases to review by the Controller; provided that any Order of a Deputy Metals Controller shall be final and binding unless and until it has been reviewed and varied or vacated by the Metals Controller.

3. *Control of Metals and Equipment*

- (1) The Metals Controller shall have power exercisable from time to time:
- (a) To take possession of metals wherever found and to produce and/or to deal in or with metals or equipment;
- (b) To enter on any land into any mine, plant, factory, mill, refinery, smelter, foundry, warehouse, building or place for the purpose of inspecting its production and operations and/or any metals or equipment;
- (c) To enter on, take possession of and utilize any mine, land, plant, factory, mill, refinery, smelter, foundry, warehouse, building or place or any equipment used or capable of being used for the purpose of producing or dealing in or with metals and to deal in or with or take possession of any vehicles, cars, ships, locomotives or other equipment deemed by the Metals Controller to be required or useful for the operation of any such mine, plant, factory, mill, refinery, smelter, foundry, warehouse, building or place, and/or for producing or dealing in or with metals; provided that any Order of the Metals Controller made under the powers vested in him by this paragraph (c) shall be subject to any conflicting valid Order of the Transport Controller appointed by the Governor in Council on the recommendation of the Minister of Transport;
- (d) Subject to the provisions of Section 9 hereof, to fix and/or regulate the price and/or markup at or for which any metals or equipment may be sold or offered for sale or supplied generally or in any place, area or zone;

- (e) To prohibit or regulate by permit any practice followed in or related to producing or dealing in or with any metals or equipment, or used in connection therewith;
- (f) Subject to the approval of the Minister, to fix or limit the quantity of any metals which may be produced and/or dealt in or with, by or to any person, either generally or for any specified use, and either generally or within specified periods of time or in any area or place; and to prohibit producing and/or dealing in or with any metals in excess of the quantities so fixed or limited without a permit from the Controller;
- (g) Subject to the approval of the Minister, to establish a quota or quotas prescribing the kind, type, grade, quality, standard, strength, classification or specification of any metals and the quantity of each that may be produced and/or dealt in or with by any person from time to time, and subject as aforesaid, to prohibit any person from producing and/or dealing in or with any metals except in accordance with any such quota or quotas unless the Controller shall have issued a permit therefor, which permit may specify the manner in which such metals may be produced and/or dealt in or with contrary to such quota or quotas and/or the kinds, types, grades, qualities, standards, strengths, classifications or specifications of any metals and the number or quantities of each that may be made and/or dealt in contrary to such quota or quotas;
- (h) To prohibit any person from producing and/or dealing in or with metals or equipment of any kind or kinds, or participating in any such production and/or dealing in or with any metals or equipment, either directly or indirectly, unless licensed by and/or except under a permit issued by the Controller;
- (i) To issue and reissue licences or permits to persons producing and/or dealing in or with any metals or equipment and to suspend, cancel or refuse to issue any such licence or permit whenever the Controller deems it advisable, and to prescribe the manner, procedure, terms and conditions under which such licences or permits shall be obtained, and, subject to the approval of the Minister, to fix the fees payable for the issue of such licences or permits;
- (j) To prohibit or require or regulate the construction or use of, or the making of any alteration, repair or addition to any mine, land, plant, factory, mill, refinery, smelter, foundry, warehouse, building or place, used or to be used for, or in connection with, the production of, or dealing in or with any metals;
- (k) To make orders regulating, fixing, determining and/or establishing the kind, type, grade, quality, standard and/or the strength of any metals that may be produced and/or dealt in or with by any person and/or of any equipment that may be dealt in or with by any person, and to prohibit any production and/or dealing in or with any metals or equipment contrary to any such order or orders without a permit from the Controller;
- (m) To prescribe conditions to which any licence or permit issued or made pursuant to these Regulations shall be subject and to vary any such conditions and/or specify further or other conditions, and to cancel, suspend or refuse to issue any such licence or permit when the Controller deems it in the public interest to do so;
- (n) To require any person, owning or having power to dispose of or being in possession of or producing or dealing in or with metals or equipment to produce and/or deal in or with such metals or equipment in such manner as may be specified and in such priority to any other business of such person as may be specified;

- (o) Subject to the approval of the Governor in Council, to advance moneys to any person, engaged in the business of producing metals for the purpose of assisting such person in the carrying on of such business;
- (p) To order or require any person owning or having power to dispose of or being in possession of or producing and/or dealing in or with metals or equipment to keep such books, accounts and/or records as may from time to time be prescribed by the Controller either generally or specifically;
- (q) To order or require any person producing, and/or dealing in or with metals or equipment to make or procure the making of such checks and/or audits of the books, accounts and/or records of such person, or of any other person who has received, directly or through another supplier, metals or equipment sold or supplied by such person, as may from time to time be prescribed by the Controller either generally or specifically;
- (r) To order or to require any person owning or having power to dispose of, or being in possession of, or producing and/or dealing in or with any metals or equipment, or any agent, employee or representative of any such person to furnish, in such form and within such time as the Controller may prescribe, such facts, data or information as the Controller may deem necessary; and the Controller may, at his discretion, require the same to be furnished under oath or affirmation;
- (s) To order or require any person owning or having power to dispose of, or being in possession of, or producing and/or dealing in or with any metals or equipment, to produce to any person authorized in writing for the purpose by the Controller, all or any books, records and/or documents, and to permit the person so authorized to make copies of, or take extracts from the same, and, when the Controller deems necessary to remove and retain any such books; records and/or documents;
- (t) Subject to the approval of the Minister, to enter upon and conduct any investigation or inquiry, which, in the opinion of the Controller, is necessary to obtain any information within the possession or knowledge of any person owning or having the power to dispose of, or being in possession of, or producing and/or dealing in or with metals or equipment or of any agent, employee or representative of any such person; and for such purpose the Controller shall have and exercise all powers of a commissioner duly appointed under Part I of the Inquiries Act, being Chapter 99 of the Revised Statutes of Canada, 1927, and amending Acts, and to engage the services of any person as provided in Section 11 of the said Act;
- (u) To regulate and control, by prohibition or otherwise any or all dealings or transactions between any person producing and/or dealing in or with any metals or equipment and any other such person in respect of or in connection with, any production and/or dealing in or with any metals or equipment, and/or the acquiring and/or use of any real and/or personal property, including any equipment, for or in connection therewith;
- (2) The powers set forth in the foregoing subsection (1) of this Section 3 are several and not dependent on each other, and no paragraph or provision thereof shall be construed, unless so stated or indicated, as being limited in its generality by the terms of any other paragraph or provision.

4. *Compensation*

If the Controller or a Deputy Controller or any person acting under the authority of any of them, seizes or otherwise takes possession of any metals or equipment, or if the Minister determines that any person is entitled to compensation by reason of any Order, then in default of agreement, the compensation to be paid in respect of any metals or equipment shall be such as is prescribed and determined by the Controller with the approval of the Minister, and the compensation, if any, to be paid by reason of any other Order shall be such as is determined by the Exchequer Court on reference thereto by the Minister; provided that the Minister may refer any question of compensation to the Exchequer Court.

5. *Delegation of Powers*

The Metals Controller shall have power to delegate from time to time, to any person or persons any power vested in the Metals Controller under these regulations, including any power involving the exercise of a discretion, and any Order made in the exercise by any such person of a power so delegated shall be final and binding unless and until it has been reviewed and varied or vacated by the Controller.

6. *Orders to Conserve Metals or Prevent Breaches*

The Metals Controller shall have power by Order to prohibit and restrain any person from producing and/or dealing in or with any metals and/or equipment or from dealing in or with any metals and/or equipment at any place or in any area or zone specified by the Controller, and to this end the Controller may order such acts or things to be done or omitted as he may deem necessary to prevent or preclude the use of any particular metals or equipment or any mine, plant, factory, mill, refinery, smelter, foundry, warehouse, building or place in breach of such Order. The Controller may exercise the said power, to prevent or preclude any breach or further breach or apprehended breach of any Order (whether general or specific) of the Controller or the Deputy Controller or any person acting under the authority of any of them.

7. *Breach of Contract Pursuant to Order*

Where any person fails to fulfil any contract or obligation whether made or assumed before or after the effective date of these Regulations, and such failure is due to compliance on the part of such person with any Order made under the authority of these Regulations after such contract or obligation was made or assumed, proof of that fact shall be a good defence to any action or proceeding against such person in respect of such failure.

8. *Protection to Controller, Deputy Controller and Agents*

The Controller, any Deputy Controller, and any person acting for, or on behalf of, or under the authority of, the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

9. *Wartime Industries Control Board Regulations Preserved*

Nothing in these Regulations shall restrict or vary the provisions of The Wartime Industries Control Board Regulations established by Order in Council P.C. 6835 of August 29, 1941, as amended, and the Metals Controller shall have the powers and immunities and be subject to the limitations granted and imposed by the said Wartime Industries Control Board Regulations as amended which shall be read and construed as one with these Regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting aircraft production

Canada Gazette (Extra), July 22, 1942

P.C. 5387

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under and by virtue of The Department of Munitions and Supply Act, the Minister of Munitions and Supply has, among other duties, the duties of organizing the resources of Canada contributory to, and the sources of supply of munitions of war and supplies and the agencies available for the supply thereof;

And whereas the said Minister reports that it is deemed necessary to control and regulate the production and distribution of aircraft as hereinafter provided;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and pursuant to the powers conferred on the Governor in Council by the Department of Munitions and Supply Act and by The War Measures Act, is pleased to appoint and doth hereby appoint Ralph Pickard Bell, Esquire, of the City of Halifax in the Province of Nova Scotia, as Aircraft Controller, with the duties, privileges and immunities conferred or charged upon or vested in the Aircraft Controller by the Regulations hereinafter set out or by any other Regulations, Order in Council, or Statute.

His Excellency in Council, on the same recommendation and under the above cited authority, is pleased to make the following regulations respecting Aircraft Production and they are hereby made and established accordingly:

REGULATIONS RESPECTING AIRCRAFT PRODUCTION

1. *Interpretation*

For the purposes of these Regulations unless the context otherwise requires:

- (a) "aircraft" shall include any engine, propeller, instrument, accessory or other part or component thereof or therefor and shall include any glider;
- (b) "Controller" and "Aircraft Controller" shall mean the Aircraft Controller appointed by the Governor in Council on the recommendation of the Minister of Munitions and Supply and in office as such;
- (c) "the Minister" shall mean the Minister of Munitions and Supply for the time being in office and shall include any acting Minister of Munitions and Supply;
- (d) "order" shall include any licence, permit, prohibition, requirement, or direction;
- (e) "person" shall include company, corporation, partnership, or any number or aggregation of persons;
- (f) "produce" shall include manufacture, make, fabricate, assemble, overhaul, recondition, repair and store, and "producing", "produced" and "production" shall have corresponding and similarly extended meanings.

2. *Constitution of Aircraft Controller*

There shall be an Aircraft Controller appointed by the Governor General in Council who shall have the powers set out in these Regulations.

3. *Control of Aircraft Production*

The Aircraft Controller shall have power, exercisable from time to time:

- (a) To enter on any land and into any plant, factory, building, or place, for the purpose of inspecting any aircraft and to take possession of any such aircraft;
- (b) To require any person producing aircraft to produce such aircraft in such manner as the Aircraft Controller may specify, and in priority to any other business of such person, or otherwise as may be specified, and notwithstanding any contract or obligation entered into by such person; provided that any Order affecting Priorities made by the Aircraft Controller under this paragraph (b) shall be subject to any valid conflicting Order of the Priorities Officer appointed by the Minister or by the Governor in Council on the recommendation of the Minister;
- (c) Subject to the approval of the Minister, to limit and/or prescribe the kinds or types of aircraft and/or quantity thereof that may be produced by any person;
- (d) To prohibit any person from producing aircraft of any kind or kinds or participating in any such production, unless licensed by and/or except under a permit issued by the Controller;
- (e) To issue and reissue permits to persons producing aircraft and to suspend, cancel or refuse to issue any such licence or permit whenever the Controller deems it advisable and to prescribe the manner, procedure, terms and conditions under which such licence or permit shall be obtained and subject to the approval of the Minister to fix the fees payable for the issue of such licences or permits;
- (f) To prescribe conditions to which any licence or permit shall be subject and to vary any such conditions and/or specify other conditions and to cancel, suspend or refuse to issue any such licence or permit, when the Controller deems it in the public interest to do so.

4. *Compensation*

If the Controller or any person acting under his authority takes possession of any aircraft, or if the Minister determines that any person is entitled to compensation by reason of any order, then in default of Agreement, compensation to be paid in respect of any aircraft shall be such as is prescribed and determined by the Controller with the approval of the Minister and the compensation, if any, to be paid by reason of any other Order shall be such as is determined by the Exchequer Court on reference thereto by the Minister; provided that the Minister may refer any question of compensation to the Exchequer Court.

5. *Delegation of Powers*

The Aircraft Controller shall have power to delegate from time to time, to any person or persons any power vested in the Aircraft Controller under these regulations, including any power involving the exercise of a discretion, and any Order made in the exercise by any such person of a power so delegated shall be final and binding unless and until it has been reviewed and varied or vacated by the Controller.

6. *Breach of Contract Pursuant to Order*

Where any person fails to fulfil any contract or obligation whether made or assumed before or after the effective date of these Regulations, and such failure is due to compliance on the part of such person with any Order made under the authority of these Regulations after such contract or obligation was made or assumed, proof of that fact shall be a good defence to any action or proceeding against such person in respect of such failure.

7. *Protection to Controller and Agents*

The Controller and any person acting for or on behalf of or under the authority of the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

8. *Wartime Industries Control Board Regulations Preserved*

Nothing in these Regulations shall restrict or vary the provisions of The Wartime Industries Control Board Regulations established by Order in Council P.C. 6835 of August 29, 1941, as amended, and the Aircraft Controller shall have the powers and immunities and be subject to the limitations granted and imposed by the said Wartime Industries Control Board Regulations, as amended, which shall be read and construed as one with these Regulations.

His Excellency in Council is hereby further pleased to direct that there be paid to the said Ralph Pickard Bell as such Aircraft Controller, the administration expenses (including actual out-of-pocket expenses for travelling, of himself or anyone acting under his authority), incurred by the said Ralph Pickard Bell in the exercise of the powers, or in connection with the duties conferred or charged upon him as such Aircraft Controller, such expenses to be paid out of the funds provided and allotted to the Department of Munitions and Supply, under the War Appropriation Act.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing increase in pilotage rates—
St. Lawrence-Kingston-Ottawa**

P.C. 5394

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports that representations have been received from the St. Lawrence-Kingston-Ottawa Pilots' Committee that pilotage rates in that district should be increased to offset conditions arising out of the present hostilities;

That the Dominion Marine Association, which represents shipping interests, has been consulted and has agreed to such an increase; and

That, as Pilotage Authority of the Pilotage District of St. Lawrence-Kingston-Ottawa, he has, under date of June 1st, 1942, amended By-law No. 5 of the Pilotage By-laws of that Pilotage District by adding a paragraph thereto, numbered (5), providing for the pilotage dues payable by any vessel under the said By-laws, with the exception of moorage, detention and canalling, to be subject to a surcharge of ten per centum (10%) for the duration of the present hostilities.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding anything contained in the Canada Shipping Act, 1934, or any by-law made thereunder, is pleased to confirm the said amendment, hereto appended, and it is hereby confirmed accordingly.

(Sgd.) . A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing regulations for necessary and proper
adjustment of the price of wheat stocks to the new and
higher levels**

P.C. 5399

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council P.C. 1803 of March 9, 1942, conferred powers on the Canadian Wheat Board in order to carry out the 1942-43 wheat policy, including necessary and proper adjustment of the price of wheat stocks to the new and higher levels;

And whereas the Minister of Trade and Commerce reports that for carrying out the said purposes it is necessary and advisable to make the following regulations and to confer the following additional powers on the Canadian Wheat Board.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, notwithstanding anything to the contrary in Section 135 of the Canada Grain Act or in any other law or statute is pleased to make the following regulations and they are hereby made and established accordingly:—

REGULATIONS

1. Unless the context otherwise requires, in these Regulations and in all documents, orders or instructions made or issued under these Regulations:—

(a) "Act" means the Canadian Wheat Board Act.

(b) Any other word or phrase means the same as if used in the Act.

2. All outstanding country elevator receipts, warehouse receipts and bills of lading, covering Canadian Wheat shall be presented to the Canadian Wheat Board or to a designated agent thereof on a date to be fixed by the Canadian Wheat Board.

3. The Canadian Wheat Board shall do whatever is necessary or advisable in respect of adjustment or transfer of such wheat to the new price level, and shall then mark all such documents so presented with a seal or stamp to signify that the documents have been presented to the Board and that the wheat represented thereby has been so adjusted or transferred. The Board may by order adopt any other means or method of signifying the same in addition to or in lieu of such seal or stamp.

4. Documents purporting to represent wheat in store or in transit and dated previous to August 1st, 1942, and not bearing on their face such seal, stamp or other certification of the Canadian Wheat Board, shall not be negotiable and shall not be bought or sold.

5. On and after August 1st, 1942, no mill, elevator or warehouse, or any operator thereof and no issuer of a bill of lading shall deliver to any person wheat which was in store or in transit on or before July 31st, 1942, unless and until documents properly approved as aforesaid are presented.

6. The Canadian Wheat Board may make such orders or regulations or give such instructions as may be necessary or advisable for the efficient operation and enforcement of these regulations and for carrying out the provisions thereof according to their true intent and meaning.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export of certain wood products

Canada Gazette (Extra), 26th June, 1942

P.C. 5437

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of October 4, 1941, P.C. 7674, the exportation from Canada of certain articles is prohibited, except under permit issued by or on behalf of the Minister of Trade and Commerce;

And whereas the Minister of Trade and Commerce reports that the War-time Industries Control Board has recommended that, in order to conserve supplies essential for Canadian requirements, the exportation of certain wood products be prohibited;

Therefore His Excellency the Governor General in Council on the recommendation of the Minister of Trade and Commerce and under and by virtue of

the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order as follows:—

1. The exportation of the following commodity is hereby prohibited except under permit issued by or on behalf of the Minister of Trade and Commerce:—

Group 4.—Wood, Wood Products and Paper:

Communication and power transmission poles of Red Cedar.

2. Schedule One of the said Order in Council (P.C. 7674 of October 4, 1941) is hereby amended by the addition of the above commodity to Group Four thereof.

3. This order shall come into Force and have effect on and after the twenty-sixth day of June, 1942.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council authorizing regulations for continuous operations in all
British Columbia shipyards**

P.C. 5480

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that it is imperative for the continued prosecution of the war that ships be built in Canada with all possible speed;

That to do so he is of opinion that it is essential that the operations in all shipyards in British Columbia be carried on continuously;

That to carry on work continuously in such shipyards it is necessary that the work be organized to be carried on by employees in three regulated shifts and that adequate provision be made for rest for the employees in such shifts; and

That the organization and carrying out of such work in shifts is necessary by reason of the state of war now existing for the security and defence of Canada.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations, and they are hereby made and established accordingly:—

1. (1) An employer who employs any persons in a shipyard in British Columbia (hereinafter referred to as "employer") shall organize the work to be performed by his employees therein (hereinafter referred to as "employees") so that it shall be carried out continuously by three shifts in each day of twenty-four hours.

(2) The number of hours to be worked by the employees in each shift and the number of hours with respect to which the wages paid to the employees for work performed therein shall be calculated, shall be as follows:—

Shift	Daily hours worked	Time off for meals	Time worked per week	Time paid for
First.....	8 hrs.	30 min.	48 hrs.	50 hrs.
Second.....	7 hrs. 40 m.	20 min.	46 hrs.	54 hrs.
Third.....	7 hrs. 10 m.	20 min.	43 hrs.	54 hrs.

(3) Each employee shall work in one shift during six days in each calendar week and shall be entitled to one full day of twenty-four consecutive hours of rest in each such week.

2. The employer shall determine the time of the commencement of each shift established pursuant to those regulations in each day and shall assign each of his employees to work in one of such shifts and for such purpose shall have regard only to the most efficient method of organizing the work performed by his employees in such shifts.

3. (1) The Minister of Labour may appoint a Committee to investigate and determine any dispute between an employer and an employee in respect of any alleged discrimination in the assignment by the employer of such employee to any shift established pursuant to these regulations upon a settlement of which the employer and the employee or the representatives of the employee have failed to agree.

(2) Any such Committee may be appointed on application to the Minister by either party to the dispute and shall consist of not more than three members appointed on the recommendation of or on behalf of the employee or employees and an equal number appointed on the recommendation of the employer or employers and a Chairman on the recommendation of the members so chosen. In the event of the failure of the members so chosen to recommend a person to be appointed chairman the Minister of Labour shall appoint a chairman.

(3) Any such Committee may be appointed to determine one or more disputes or a class of disputes.

(4) A determination of a majority of the members of the Committee, including the Chairman, shall be a determination of the Committee.

(5) Any such Committee shall have all the powers of a Commissioner appointed under Part II of the Inquiries Act.

(6) The determination of any such dispute by any such Committee shall be final and conclusive and shall be given effect to by the employer and employee or employees concerned.

(7) The expenses of any such Committee or of the members or the Chairman thereof shall be paid out of the moneys appropriated by Parliament for the carrying out of any measure deemed necessary or advisable by the Governor in Council in consequence of the existence of a state of war.

4. An employer who fails to organize the work performed by his employees so that it shall be carried on continuously by shifts established in accordance with these regulations or who fails to assign any of his

employees to any shift established by him pursuant to these regulations or who fails to give effect to the determination of any dispute by a Committee appointed by the Minister of Labour under these regulations, or who in any other respect fails or omits to comply with these regulations, shall be guilty of an offence and liable on summary conviction to a fine of not less than one hundred dollars and not exceeding one thousand dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment; provided that it shall be a good defence to any prosecution under this section for any failure by an employer to comply with these regulations if the employer proves that he was prevented from complying therewith by causes beyond his control.

5. An employee in any shipyard in British Columbia who, without the permission of his employer and without terminating his employment, refuses or ceases to work in any shift to which he has been assigned pursuant to these regulations by his employer, or in accordance with a determination of a Committee appointed by the Minister of Labour, shall be guilty of an offence and liable on summary conviction to a fine of not less than fifty dollars and not more than five hundred dollars or to imprisonment for a term of not less than three months, or to both such fine and such imprisonment; provided that it shall be a good defence to any prosecution under this section for the failure of any employee to work in any shift in which the employee has been assigned under these regulations if the employee proves that he was prevented from working in such shift by causes beyond his control.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing new Fertilizer Subvention Regulations

Canada Gazette (Extra), July 18, 1942

P.C. 5482

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 13th day of February, 1942, P.C. 488, Regulations respecting the payment of subventions on fertilizers were made and established;

And whereas the Minister of Agriculture reports that since the same general situation now exists as when the regulations were established, and it is estimated that the aforesaid subventions have increased the use of fertilizers approximately thirty-five per centum on crops prescribed and brought about a greatly increased use of fertilizers on pastures and hay crops, it should be reflected in due course in the form of increased production of milk and other essential agricultural products;

That there is a great need of diverting in so far as possible the use of available fertilizers to essential crops;

That although it would be desirable, under the circumstances, to extend the above policy indefinitely, it is expedient to continue with it for the present up to and including the 31st day of December, 1943;

That as a result of the experience gained in the application of the said regulations last spring, they should be amended to clarify and extend their application to essential crops; and

That in order to permit proper organization of adequate supplies for 1943, it is essential that Government policy in this respect be now determined;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act is pleased to order as follows:—

1. The Fertilizer Subvention Regulations established by Order in Council, P.C. 488, dated February 13th, 1942, are hereby revoked.

2. The attached new Fertilizer Subvention Regulations are hereby made and established.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

These Regulations may be cited as the Fertilizer Subvention Regulations.

1. In these regulations, unless the context otherwise requires:—

“Analysis” means the per centum by weight of nitrogen, available phosphoric acid or water soluble potash in any fertilizer, as prescribed by the Fertilizers Administrator.

“Fertilizer” means any product containing nitrogen, available phosphoric acid or water soluble potash, singly or combined, of a kind or analysis prescribed by the Fertilizers Administrator.

“Unit” means the per centum by weight or twenty pounds of either nitrogen, available phosphoric acid or water soluble potash in the ton of fertilizer.

2. The Fertilizers Administrator with the approval of the Agricultural Supplies Board may, with respect to fertilizers purchased by and delivered to farmers for use on their own farms in any of the Provinces of Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island, and British Columbia, between July 1, 1942, and December 31, 1943, inclusive, pay the subvention herein provided, when:—

(a) Such fertilizer is used only in the production of the following crops:—

- (i) pastures;
- (ii) clover, alfalfa and other hay crops;
- (iii) field corn and crops to be used for ensilage or green feed;
- (iv) wheat, oats, barley and other grains to be used for feed;
- (v) mangels and turnips.

(b) Such fertilizer is used as recommended by the Fertilizer Board or Council of the Province or as approved by the Fertilizers Administrator.

3. The amount of the subvention that may be paid under clause two hereof shall be calculated as follows:—

Thirty cents per unit of nitrogen,
Fifteen cents per unit of available phosphoric acid, and
Fifteen cents per unit of water soluble potash in the ton of fertilizer.

Applications

4. (a) Applications for payment of fertilizer subventions shall be completed by the vendor in triplicate as hereinafter prescribed, on an invoice form supplied for the purpose;
- (b) Such applications shall contain the following information with respect to each fertilizer purchased:—
 - (i) the name and business address of the vendor,
 - (ii) the name, post office address, municipality (or its equivalent) and designation (such as lot number) of the farm owned or operated by the purchaser,
 - (iii) the kind, analysis, quantity in pounds and the net cash price,
 - (iv) the correct amount of the subvention allowed and the net cash price less the subvention,
 - (v) the crop and acreage thereof for which each kind and analysis of the fertilizer is to be used by the farmer.
- (c) When the vendor has sold the fertilizer to the farmer at the net cash price less the amount of the subvention; he shall sign each copy of the prescribed invoice. The farmer shall also sign each copy of the invoice in confirmation of having purchased and received the fertilizer and that it will be used only on the crop or crops as indicated in the invoice; accepting full responsibility for furnishing, if required, satisfactory proof of the actual use of the fertilizer on the crops named in clause two hereof and having received the subvention.
- (d) When the prescribed invoice has been completed as required, the vendor shall forward two copies thereof to the secretary of the Fertilizer Board or Council of the province or such other authorized agency as may be designated.

Fertilizer Boards or Councils

5. (a) Upon receipt prior to the 31st day of December, 1943, of the prescribed invoice in duplicate covering the sale and delivery of the fertilizer to any farmer, the Fertilizer Board, Council or other authorized agency of the province shall be responsible for checking and verifying such claim with regard to its eligibility under these regulations and shall satisfy itself as to the validity of the purchase, the intended use of the fertilizer and the correctness of the amount of the subvention.
- (b) When satisfied that the invoice is correct and acceptable under these regulations and that the vendor is entitled to be reimbursed for the amount of the subvention allowed by him to the farmer, the Fertilizer Board, Council or other authorized agency of the province shall forward one copy of such invoice to the Fertilizers and Pesticides Administrator, Department of Agriculture, Ottawa, with a recommendation that the vendor be reimbursed accordingly.

Freight Allowances

6. When in the provinces mentioned in Clause 2 hereof, nitrogen, available phosphoric acid or water soluble potash cannot be obtained by manufacturers or distributors of fertilizers from their usual sources of supply in sufficient quantity

to meet the demand for the fertilizers, and the purchase of such chemicals from other or more distant sources would result in increased manufacturing costs or prices, the Fertilizers and Pesticides Administrator may, with the approval of the Agricultural Supplies Board, pay to the manufacturer or distributor the difference between the usual freight costs as aforesaid and the increased freight costs incurred by him in making such additional purchases, upon submission of proof satisfactory to the said Administrator of the freight costs usually paid by him and receipted bill of lading covering purchases of additional chemicals from other or more distant sources of supply.

Expenses of Fertilizer Boards, etc.

7. The Fertilizers and Pesticides Administrator may, with the approval of the Agricultural Supplies Board, pay to the provincial treasurer, the actual expenses incurred by the province with respect to the assistance of Provincial Fertilizer Boards, Councils or other authorized persons or agencies in checking, verifying, inspecting and forwarding applications for fertilizer subventions, provided that such expenses are certified by such provincial treasurer to have been incurred as aforesaid and to be true and correct and provided further that the assistance above mentioned shall have been authorized by the Fertilizers and Pesticides Administrator.

Application of the Policy

8. For the purpose of the subventions:—

- (a) No more than one person on any one farm shall be allowed the subvention and no farmer shall purchase fertilizer for or on behalf of any other person.
- (b) Two or more farms operated by the same farmer with the same machinery or personnel, wholly or in part, shall be regarded as one farm.
- (c) Fertilizers purchased for farms operated by or for a Government, municipality, industry or corporation, except ecclesiastical or charitable corporations, shall be ineligible.
- (d) No farmer shall be allowed subventions amounting to more than a total of \$25.00 or on more than a total of five tons of fertilizers.
- (e) In the case of home-mixed fertilizer the amount of the subvention shall be calculated from the quantity of the chemicals used and not the analysis of the mixture.

9. The subventions to farmers, payment of increased freight cost differentials to manufacturers and distributors and reimbursement of expenses of Provincial Boards, Councils or persons authorized under these regulations may be paid only in those provinces mentioned in clause two hereof which have agreed to co-operate with and assist in the administration of the fertilizer subvention policy.

10. Payment under these regulations may be withheld if for any reason the Fertilizers and Pesticides Administrator is not satisfied in all respects with any application for payment of subvention, differential in freight costs or expense account.

11. The Fertilizers and Pesticides Administrator may require any manufacturer, wholesaler or retailer of fertilizers to make available to him or to his authorized representative all or any information which such person has with respect to any purchase of fertilizer by any farmer or any freight, manufacturing or other costs or expenditures.

Offences

12. Every person shall be guilty of an offence under these regulations and liable on summary conviction to a fine of not more than five hundred dollars or to imprisonment for a term of not more than three months or both, who—

- (a) With respect to any application, information or return under these regulations submits any false or misleading information or makes any false statement therein;
- (b) falsely claims to be entitled to any payment under these regulations;
- (c) fails to use the fertilizer for the purposes set out in the application.
- (d) attempts in any manner to defeat the purposes of any of these regulations.

Fertilizers Administration,
Ottawa, Canada,
June 20, 1942.

Order in Council authorizing National War Labour Board to fix maximum fair wage rates in certain cases

P.C. 5518

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by the Wartime Wages and Cost of Living Bonus Order (P.C. 8253, as amended), the National War Labour Board is charged with the administration of the Fair Wages and Hours of Labour Act 1935;

And whereas the Minister of Labour reports that certain employers are required to pay fair wages in accordance with wage schedules established pursuant to the said Act;

That under the said Wartime Wages and Cost of Living Bonus Order it is provided that, except on written permission of the National War Labour Board as therein provided, no employer shall increase or decrease the basic scale of wage rates paid by him on November 15, 1941;

That the payment of fair wages by an employer under the Fair Wages and Hours of Labour Act 1935 may constitute an increase in the basic scale of wage rates paid by such employer on November 15, 1941;

That it is desirable to authorize employers to pay such fair wages;

That such fair wage rates are minimum fair wage rates and in order to maintain the control of wage rates established by the Wartime Wages and Cost of Living Bonus Order, it is necessary to provide that the National War Labour Board may fix maximum fair wage rates which may be paid in such cases by establishing ranges of such fair wage rates in wage schedules established pursuant to the Fair Wages and Hours of Labour Act 1935;

And whereas the Minister of Labour is of opinion that it is advisable, by reason of the state of war now existing, for the security, peace, order and welfare of Canada to make provision for the matters aforesaid;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. Any Schedule of wage rates contained in any labour conditions prepared by the National War Labour Board, pursuant to the provisions of the Fair Wages and Hours of Labour Act, 1935, and the Wartime Wages and Cost of Living Bonus Order may, if such Board deems it advisable so to do, in addition to establishing wage rates deemed by it to be fair minimum wage rates, establish ranges of wage rates deemed by it to be fair.

2. Notwithstanding anything contained in the Wartime Wages and Cost of Living Bonus Order, if the ranges of wage rates or single wage rates forming part of the basic scale of wage rates paid by any employer on November 15, 1941, are lower than the wage rates or ranges of wage rates which such employer is required to pay in accordance with any schedule of wage rates issued pursuant to the Fair Wages and Hours of Labour Act 1935 and this Order, such employer shall pay wage rates in accordance with such schedule or within the ranges of wage rates established by such schedule but no employer shall by reason of this Order decrease the basic scale of wage rates paid by him on November 15, 1941.

3. The provisions of this Order shall authorize an employer to increase the basic scale of wage rates paid by him on November 15, 1941, only in respect of employees engaged in jobs, positions or occupational classifications in respect of which wage rates or ranges of wage rates are established by a schedule of wage rates issued pursuant to the Fair Wages and Hours of Labour Act, 1935, and this Order.

4. The National War Labour Board may, if it deems it fair and reasonable so to do, authorize the payment by an employer of a wage rate in excess of the highest wage rate in any range of wage rates established in any schedule of wage rates issued pursuant to the Fair Wages and Hours of Labour Act 1935 and this Order, or direct the establishment of a range or ranges of wage rates in any schedule of wage rates heretofore or hereafter issued pursuant to the Fair Wages and Hours of Labour Act 1935, which establishes only minimum fair wage rates, by fixing the highest fair wage rates which may be paid in such ranges.

5. Any employer to whom this Order is applicable who pays wage rates at a rate in contravention of the provisions of this Order, shall be guilty of an offence and liable on summary conviction to a fine of not less than \$100 and not exceeding \$1,000.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations re agricultural land owned
by Japanese

Canada Gazette (Extra), July 3, 1942

P.C. 5523

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Mines and Resources and the Minister of Pensions and National Health report that persons of the Japanese race ordinarily resident in the protected areas of British Columbia have been required by Orders of the Minister of Justice, under Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to leave such protected areas;

That many such persons of the Japanese race were or are engaged in agriculture and have been or shall be compelled to abandon farming operations on lands owned by them or by companies which they control;

That it is in the public interest to ascertain the actual number of such Japanese farms, to carry out an appraisalment of their fair present day value, and to consolidate the control of the disposition of these lands by sale, lease, or otherwise;

And whereas the Ministers are of opinion that by reason of the state of war now existing it is advisable for the security, peace, order and welfare of Canada to make provision for the matters aforesaid;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources and the Minister of Pensions and National Health and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:—

REGULATIONS

1. In these regulations, unless the context otherwise requires:
 - (a) "Director" means the Director of Soldier Settlement of Canada;
 - (b) "Japanese Company" means any corporation of which the majority of the shares issued by it are owned by persons of the Japanese race, or of which the majority of the directors are persons of the Japanese race;
 - (c) "Agricultural land" means land and any real or immovable property and any interest, legal or equitable therein, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;
 - (d) "Minister" means the Minister of Mines and Resources;
 - (e) "person of the Japanese race" means any person wholly of the Japanese race;

- (f) "protected area in British Columbia" means any area in the province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.

2. Except with the approval in writing of the Director and in accordance with any terms or conditions therein set out, no person shall, after the date hereof,

- (i) purchase, lease or otherwise acquire or agree to purchase, lease or otherwise acquire, or
- (ii) either for himself or on behalf of the owner, sell, lease or otherwise dispose of or agree to sell, lease or otherwise dispose of,

any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese Company.

3. The Director may, in his sole discretion, refuse to approve or approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese company.

4. The Director shall cause an appraisal to be made of the fair present-day value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese companies, and shall report thereon to the Minister.

5. Any person authorized in writing by the Director to act as an inspector under these regulations may, for the purpose of making any appraisal under the last preceding section, or for the purpose of ascertaining whether any person of the Japanese race or any Japanese company is the owner of any agricultural land in a protected area of British Columbia, or for the purpose of determining whether the provisions of these regulations are being or have been complied with,

- (i) enter at all reasonable times and inspect any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company, or which is reasonably believed by such inspector to be or to have been owned by any such person or company;
- (ii) examine orally any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be or to have been owned by a person of the Japanese race or a Japanese company;
- (iii) require any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be owned by a person of the Japanese race or a Japanese Company, or having in his possession any documents relating to any such land, to furnish any information in his possession or such documents to such inspector.

6. The production by any person of any document purporting to be signed by the Director and purporting to authorize such person to act as an inspector under these regulations, shall be evidence of the authority of such person to act as an inspector.

7. Any person,

- (i) who purchases, leases, or otherwise acquires, or sells, leases or otherwise disposes of or agrees to purchase, lease or otherwise acquire, or to sell, lease or otherwise dispose of, any agricultural land in any protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company otherwise than in accordance with these regulations; or
- (ii) who wilfully delays or obstructs an inspector in the exercise of any power conferred upon him under these regulations; or
- (iii) who fails to give any information or to produce any documents in his possession if required to do so under these regulations; or
- (iv) who refuses to reply to any reasonable question asked him by an inspector acting under these regulations,

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

8. The burden of proof that any purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia, is not a violation of any of the provisions of these regulations, shall be upon the accused.

9. Nothing in these regulations shall be deemed to apply to, or to affect enemy property as defined by the CONSOLIDATED REGULATIONS RESPECTING TRADING WITH THE ENEMY (1939).

10. All expenses or costs incurred by the Director in connection with this Order shall be payable out of the moneys appropriated by Parliament to carry out measures deemed necessary in consequence of a state of war.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing regulations re Master's Home Trade
Certificate of Competency**

Canada Gazette (Extra), July 8, 1942

P.C. 5525

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports that on account of the large number of Merchant Seamen who have joined the Royal Canadian Naval Reserve, and the wish of the said merchant seamen to qualify for examination for Home Trade Certificates issued by the Department of Transport during the time they are in Naval Service, it is recommended that service performed by

officers and men of the Royal Canadian Naval Reserve in His Majesty's ships during the present war, shall be accepted in full as qualifying service for examination for a Certificate of Competency as Master or Mate Home Trade, as the case may be.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the following regulation and it is hereby made and established accordingly.

REGULATION

1. An officer of the Royal Canadian Naval Reserve desirous of obtaining a Master's Home Trade Certificate of Competency for cargo or passenger steamship, as the case may be, issued by the Department of Transport, may count full time for this purpose when serving in any of His Majesty's ships of the following class: Destroyers, Corvettes, Mine Sweepers, Armed Yachts, Coastal Patrol Vessels and Examination Vessels. Time served in gate vessels, depot ships, harbour craft and shore establishments will not count for examination purposes.

2. The applicant must be in possession of a watchkeeping certificate signed either by the Commanding Officer if serving on a Destroyer or other of His Majesty's ships having a complement of one hundred and fifty men or over, or by the Naval Officer in charge, or Commanding Officer of Flotilla, or parent ship in the case of smaller craft.

3. The applicant holding a watchkeeping certificate shall show twelve months' service while holding a Certificate of Competency as Mate Home Trade before being examined.

4. The watchkeeping certificate shall be authenticated by Naval Headquarters, Ottawa. In addition to the watchkeeping certificate, the applicant shall furnish on the application form issued by the Department of Transport, a record of qualifying time served in the Naval Service which also shall be authenticated by Naval Headquarters, Ottawa.

5. A candidate for a Home Trade Mate's Certificate must be not less than twenty-one years of age, and must have served thirty-six months at sea. A record of qualifying time served in the Naval Service shall be authenticated by Naval Service Headquarters, Ottawa.

6. In all other respects the applicant shall comply with the Masters' and Mates' Regulations relating to the examination of Masters and Mates adopted and established by Order in Council P.C. 2867, dated the 5th day of November, 1936.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Minister of Transport to authorize certain persons outside of Canada to examine engineers and issue permits

P.C. 5526

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, to facilitate the clearing on voyages of Canadian Registered ships, under the prevailing wartime conditions, Regulations were made by Order in Council, P.C. 4306, dated the 17th day of June, 1941, under which the Minister of Transport is authorized, inter alia, to permit an engineer of certain qualifications to act in a position requiring an engineer of a higher grade than that possessed by him, and to permit an uncertificated engineer to take charge of a watch;

And whereas the issue of a permit under the above mentioned Regulations is contingent on an Examiner of Engineers, duly appointed as such under the provisions of the Canada Shipping Act, 1934, being satisfied that the engineer examined is competent to act in the higher capacity;

And whereas the Acting Minister of Transport states that it has been reported to the Department that in the case of certain Canadian ships trading in the West Indies, occasion has arisen where, owing to sickness or other reasons, it has been found necessary at times to replace the certificated engineers in charge of these ships with engineers not properly certificated; and

That as there are no Examiners of Engineers, appointed as aforesaid, stationed at ports outside Canada, it is deemed advisable, in order to provide that engineers shall not be acting illegally when engaged on Canadian Registered ships without proper certificates, in the circumstances above mentioned, that the Minister of Transport should have power to grant permission to persons outside Canada, as may be approved by him from time to time, to examine engineers and issue permits on the same basis as is done under the provisions of the above mentioned Regulations.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding anything contained in the Canada Shipping Act, 1934, is pleased to empower and doth hereby empower the Minister of Transport to authorize certain persons outside Canada, as may be approved by him from time to time, to examine engineers and issue permits to engineers on the same basis as engineers are examined and permits issued under the provisions of the Regulations made by Order in Council, P.C. 4306, of the 17th day of June, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving expenditures British Columbia Security
Commission—housing of Japanese

P.C. 5533

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas subsection (1) of Regulation No. 7, of the Regulations made by Order in Council dated March 4, 1942 (P.C. 1665), for the direction of the British Columbia Security Commission in its planning, supervising and directing of the evacuation from the protected areas of British Columbia of all persons of the Japanese race, reads as follows:—

“7. (1) No transaction shall be entered into by the Commission involving an expenditure in excess of fifteen thousand dollars, except with the approval of the Governor in Council.”;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to approve and doth hereby approve of expenditures not in excess of one hundred thousand dollars (\$100,000) made or to be made by the aforementioned British Columbia Security Commission for the purchase, erection and equipping complete of approximately 1,000 tents and the erection and equipping of approximately 50 houses in and about the townsites of Slocan City, Kaslo and Nicola in the Province of British Columbia, necessary for the proper housing of certain of the persons of the Japanese race who are being moved to or through the aforesaid townsites in the effecting of the aforementioned evacuation.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council granting licences to the United States fishing vessels
engaged in whaling operations

P.C. 5534

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of October 22, 1941, P.C. 8124, the Minister of Fisheries was authorized to issue licences for the calendar year 1942, continuing special port privileges, as follows, which have been permitted on annual basis for many years to United States halibut fishing vessels on the British Columbia coast, the fee for each such licence being \$1.00:

1. To purchase bait, ice, nets, lines, coal, oil, provisions and all other supplies and outfits.

2. To ship crews.

3. To land their catches without the payment of duties, and

(a) Trans-ship them in bond to any port in the United States;

(b) Sell them in bond to such local dealer or dealers as may be properly authorized therefor by the Minister of National Revenue, which dealer shall export the same in compliance with the bonding requirements;

(c) Sell them for use in Canada on payment of duty.

And whereas by Order in Council of March 12, 1942, P.C. 1883, such privileges were extended upon representations from the United States Government and in the interests of the war effort of the United Nations to United States vessels on the Pacific Coast engaging in fishing for so-called ling cod, grayfish and sharks during the calendar year 1942;

And whereas the Minister of Fisheries reports that representations have now been received from the United States Government supporting a request that such privileges be also extended to United States vessels engaging in whaling on the Pacific Coast, and further, that permission be granted whereby whales landed pursuant to such privileges may be processed in bond in British Columbia.

And whereas the Minister states that the request flows from developing emergency conditions at and adjacent to Alaska, making it necessary to suspend planned whaling operations there during 1942, which operations were being encouraged and assisted by United States war production agencies in the interests of the war effort.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, concurred in by the Minister of National Revenue, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize and doth hereby authorize the Minister of Fisheries to grant licences to United States fishing vessels on the Pacific Coast engaging in whaling during the calendar year 1942, covering privileges similar to those extended by Order in Council, P.C. 8124, as aforementioned, the fee for each such licence to be \$1.00; also, to permit processing in bond of any whales landed under the authority of such licences at such point or points as he may approve and under conditions which he may prescribe from time to time, and to permit the by-products of such processing to be exported in bond or by sea under such conditions as he may prescribe from time to time.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing regulations re prices of wheat

P.C. 5572

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1803, of March 9, 1942, regulations to carry out the 1942-43 wheat policy, including necessary and proper adjustment of the price of wheat stock to the new and higher levels, were made;

And whereas by statute passed at the present session of Parliament and operative on August first 1942, Section 7, paragraph (e) of the Canadian Wheat Board Act was amended to authorize the Board to pay such higher prices for wheat;

And whereas it is desirable to make clear that such prices do not apply to wheat grown before this present year and to provide penalties for sale of old wheat at such prices after July 31 next;

And whereas the Minister of Trade and Commerce reports that for carrying out the said purposes it is necessary and advisable to make the following regulations;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, and notwithstanding anything to the contrary in any law or statute, is pleased to make the following regulations and they are hereby made and established accordingly:—

REGULATIONS

1. Unless the context otherwise requires, in these regulations: "Act" herein shall mean the Canadian Wheat Board Act and other words shall have the same meaning as if used in the Act.

2. No person shall be entitled to receive for wheat grown before 1942 the price authorized by section 7 (e) of the Act as amended at the present session of Parliament, unless the Board by order, regulation or instruction otherwise provides.

3. Subject to such order, regulation or instruction, any person who delivers such wheat after July 31, 1942, and obtains or attempts to obtain therefor prices under the Act so amended, shall on summary conviction pay to the Board the sum of twenty cents for each bushel so sold or attempted to be sold in breach of these regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending War Exchange Conservation Act—high
thermal shock resisting glassware

P.C. 5605

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 30th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Tariff Item 326 (ii) covering "Opal glassware, glass tableware, cut glassware and illuminating glassware, n.o.p." is in Part One of Schedule One to the War Exchange Conservation Act, 1940, and Tariff Item 326g covering "High thermal shock resisting glassware" is not in the said Schedule;

And whereas the Minister of Finance reports that, in order to ensure adequate supplies of low-priced glass tableware and to prevent the importation from outside the sterling area of expensive high thermal shock resisting glass tableware, it is advisable and in the public interest that certain glass tableware classified under Item 326 (ii) be transferred from Part One to Part Two of the said Schedule and that certain glass tableware classified under Item 326g be added to Part One thereof.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order as follows:

Part One of Schedule One to the War Exchange Conservation Act, 1940, is hereby amended by insertion therein of the following Item "ex 326g: High thermal shock resisting glass tableware (including refrigerator jars but not including stove or ovenware)".

Part Two of Schedule One to the War Exchange Conservation Act, 1940, is hereby amended by insertion therein of the following Item "ex 326 (ii): Glass tableware not cut or otherwise decorated subsequent to manufacture (but not including stemware)".

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council exempting zinc spelter and zinc in blocks, pigs, bars or rods from customs, excise and war exchange duties

P.C. 5647

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 30th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas zinc spelter and zinc in blocks, pigs, bars or rods is subject to a duty of customs of $\frac{3}{4}$ cent per pound when imported from countries the products of which are entitled to British Preferential Tariff treatment and 1 cent per pound when imported from countries the products of which are entitled to Intermediate or General Tariff treatment;

And whereas the war exchange tax of 10 per cent applies to imports of zinc spelter and zinc in blocks, pigs, bars or rods when originating in and imported from countries the products of which are subject to Intermediate or General Tariff treatment;

And whereas in addition to the customs duty and war exchange tax the special excise tax of 3 per cent applies to imports of zinc spelter and zinc in blocks, pigs, bars or rods from countries the products of which are subject to General Tariff treatment;

And whereas the zinc made in Canada is high-grade electrolytic zinc, of which there is a shortage in the United States and other allied countries;

And whereas Canadian industry is obliged to debase high-grade electrolytic zinc as the price of imported prime western zinc is about 80 per cent higher;

And whereas arrangements have been entered into for the exchange on a duty and tax free basis of Canadian high-grade electrolytic zinc for United States prime western zinc;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order,—

1. That "zinc spelter and zinc in blocks, pigs, bars or rods" be exempt from customs duty when imported from any country;

2. That "zinc spelter and zinc in blocks, pigs, bars or rods" when imported from countries the products of which are subject to Intermediate or General Tariff treatment be exempt from the war exchange tax of 10 per cent ad valorem;

3. That "zinc spelter and zinc in blocks, pigs, bars or rods" when imported from countries the products of which are subject to General Tariff treatment be exempt from the special excise tax of 3 per cent; and

4. That the aforementioned exemptions from customs duty, war exchange tax and special excise tax be made retroactive to June 15, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting white portland cement clinker from customs
and war exchange duties

P.C. 5648

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 30th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas white portland cement clinker is the chief material used in the manufacture of white portland cement;

And whereas the United States is Canada's chief source of supply of white portland cement clinker but imports from that country are subject to the war exchange tax of 10 per cent ad valorem;

And whereas Canada's imports from the United Kingdom of white portland cement are quite substantial but the war exchange tax does not apply to goods entitled to British Preferential Tariff treatment;

And whereas Order in Council P.C. 26/1544 was passed on March 12, 1941, under the authority of Section 33 of the Consolidated Revenue and Audit Act, authorizing a remission of the war exchange tax paid or properly payable on all imports of white portland cement clinker during the period June 25, 1940 to December 31, 1941;

And whereas The Wartime Prices and Trade Board recommends that white portland cement clinker when imported for use in the manufacture of white portland cement be exempt from the war exchange tax of 10 per cent ad valorem;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that white portland cement clinker, when imported by manufacturers of white portland cement, for use in the manufacture of white portland cement, in their own factories, when originating in countries entitled to Intermediate or General Tariff treatment be exempt from the war exchange tax of 10 per cent ad valorem, effective January 2, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations for continuous operations in all
British Columbia shipyards

P.C. 5650

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 30th day of June, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend the regulations for continuous operations in all British Columbia shipyards made and established by Order in Council P.C. 5480, of June 25th, 1942, and they are hereby amended by adding thereto the following section:

6. These Regulations shall come into effect on a date to be prescribed by the Minister of Labour.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

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